

**FY 97 ENVIRONMENTAL
PERFORMANCE AGREEMENT
BETWEEN
ILLINOIS EPA AND Region 5, USEPA**

We are pleased to execute this second Environmental Performance Agreement and thereby to continue the journey envisioned in the new National Environmental Performance Partnership System (see Figure 1). This agreement sets forth our mutual agenda for continued environmental progress and our expectations for the state/federal relationship. We have assembled in one comprehensive document the issues, goals, strategies and measures for most of the environmental programs that are operated in Illinois. For the first time, Illinois will operate under a performance partnership grant that provides funding for the programs described in this agreement.

The execution of this agreement demonstrates our continuing commitment to environmental improvement that is cost-effective and responsive to public concerns. We believe that this agreement measures up to the call for finding better ways of doing our regulatory business. It also builds upon the lessons learned from our first partnership agreement in FY 96. In particular, we are committing to complete the task of sorting out where streamlining of performance reporting can be accomplished.

The six sections which follow form the body of this agreement and will serve as our joint performance plan for the specified programs.

Entered into on this _____ day of October, 1996.


For the Illinois EPA:

For Region 5, USEPA:

Mary A. Gade
Director

Valdas V. Adamkus
Regional Administrator

TABLE OF CONTENTS

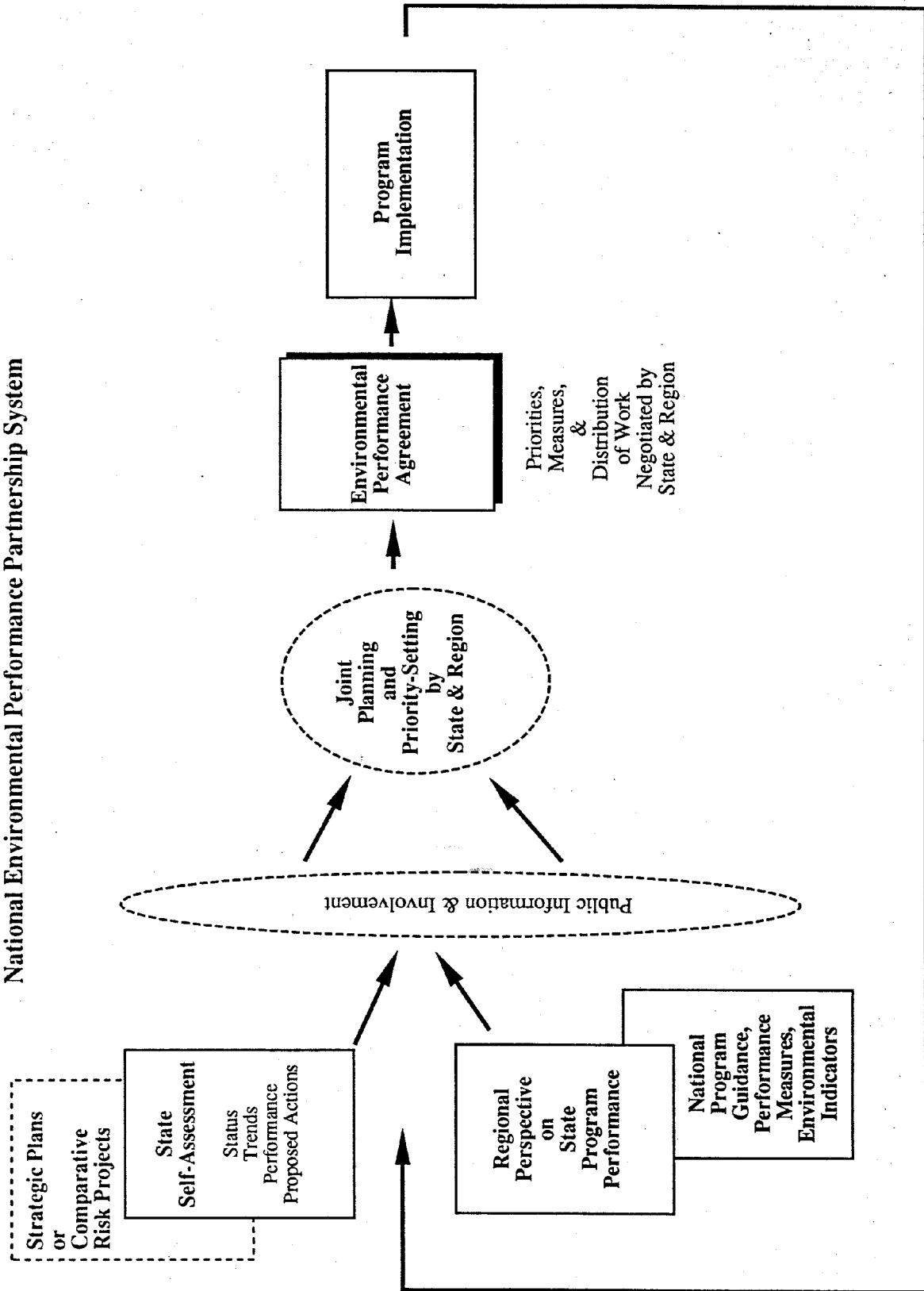
	
I. GENERAL PURPOSE AND CONTEXT	1
A. New Environmental Partnership	1
B. Strategic Planning Context	1
C. Mission Statements and Roles	2
D. Relationship of Agreement to Grants	12
E. Joint Planning and Evaluation Process	13
II. SCOPE OF AGREEMENT	14
III. GENERAL PRINCIPLES FOR STATE/FEDERAL RELATIONSHIP	14
IV. ENVIRONMENTAL RESULTS	15
V. PROGRAM PERFORMANCE AND ACCOUNTABILITY	17
MULTIMEDIA PROGRAMS	
A. Toxic Chemical Management Program	18
B. Environmental Emergency Management Program	22
C. Regulatory Innovation Program	26
D. Pollution Prevention Program	29
E. Environmental Education Program	33
MEDIA PROGRAMS	
F. Clean Air Program	35
G. Waste Management Program	46
H. Site Remediation Program	62
I. Clean/Safe Water Program	74
VI. PUBLIC INVOLVEMENT	99

ATTACHMENTS

Listing of Funding Sources covered by PPG
Dispute Resolution Process

Figure 1

National Environmental Performance Partnership System



I. GENERAL PURPOSE AND CONTEXT

The purpose of this FY 97 Environmental Performance Agreement ("the agreement") is to set forth the mutual understandings reached regarding the state/federal relationship, the desirable environmental outcomes, the performance expectations for the participating programs, and the oversight arrangements between the parties. The parties to this agreement are the Illinois Environmental Protection Agency (IEPA) and Region 5 of the United States Environmental Protection Agency (USEPA).

A. New Environmental Partnership

This agreement is designed to be consistent with the "new environmental partnership" as described in the National Environmental Performance Partnership System (NEPPS). The parties concur with the principles that are enumerated in the NEPPS and are proceeding in accordance with the framework shown therein.

B. Strategic Planning Context

The six state environmental agencies and Region 5 decided in May, 1992 to collaborate in a strategic planning process. A strategic directions team, which consisted of senior state and federal staff, participated in extensive dialogue for more than a year. The product of these mutual efforts was a multi-year strategy called "Strategic Directions For the Midwest Environment (1995-1999)." This strategy identified ten broad themes and 57 specific strategic directions that were needed to ensure continued environmental progress. It also described a fundamental shift in management philosophy that was taking place:

- "Cooperation and collaboration should be our foundation. The allocation of resources and the accountability between us should be directly linked to attaining environmental results."

In effect, then, this strategy became an environmental management agenda from which regional and state programs would make selections to fashion their respective work plans. It was anticipated that a flexible approach would be necessary to accommodate the full range of state and regional interests and priorities. To deal with these specific applications, a commitment was made to continue the dialogue among Region 5 and the states.

During April, 1996, the senior leadership of Region 5 and the States also identified the following five environmental priorities to guide actions in fiscal year (FY) 1997. Our approach to implementing these priorities is outlined as follows; specific activities supporting these priorities will be found throughout the program strategies, and in Section C. Mission Statement and Roles:

1. Reduce toxic emissions, especially mercury - Mercury is transported across state lines and poses a significant threat to the Great Lakes and other water bodies. Each state and EPA have developed some level of action plan to reduce mercury. Additional effort should be made to find and develop common strategies for focused, joint action.

2. Build Community Based Environmental Programs - Building partnerships with citizens, local governments, and private sector interests is a powerful approach for addressing many of our high priority environmental problems.
3. Accelerate 'Brownfield' cleanup programs - Environmental regulators have a key role to play in facilitating site cleanups that are critical to community and economic development as well as public health. We must shape our respective programs to be a catalyst for such progress. States and EPA should share successes and build on our efforts.
4. Manage for Environmental Results - We should work together and within the respective states to develop and use clear indicators of actual environmental and public health progress. These indicators will guide our efforts and serve to effectively communicate with the public. Regional discussions can assist the state indicators development process. Stakeholders should participate in the development of indicators.
5. Change as needed to serve our customers and meet our environmental goals in the smartest possible way - We should seek new and innovative approaches in setting standards, developing compliance strategies and in serving our customer needs. We must look for ways to continuously improve and to affect positive, lasting change in public and private sector's attitude and approach to environmental issues.

C. Mission Statements and Roles

1. Illinois EPA - The mission of the IEPA is to "safeguard environmental quality consistent with the social and economic needs of the State, so as to protect health, welfare, property and the quality of life." IEPA operates under the auspices of the Illinois Environmental Protection Act and several other state statutes. Under state law, the IEPA is designated as the primary operations agency for purposes of the major federal environmental protection programs. Statutory authority is granted for policy and regulatory development, planning and monitoring, permitting, inspections and enforcement, remedial actions, emergency management, and environmental infrastructure assistance.

IEPA has sought and received delegation of the major national environmental protection programs. IEPA also operates numerous state programs that do not involve a relationship with USEPA. In combination, these national and state-specific program responsibilities place IEPA in the lead role for delivering day-to-day environmental protection in Illinois. This agreement is designed to address the full range of these operations with only a few exceptions, such as the leaking underground storage tank program.

IEPA operates within a complex network of intergovernmental and public/private

relationships. The principal roles that IEPA plays within this web of relationships are as follows:

- a. Primary regulator - IEPA has direct regulatory responsibility for the full spectrum of environmental protection matters. This predominant role drives much of our focus and performance. Under the NEPPS, IEPA will strive to improve the environmental protection system in Illinois so that affordable environmental progress can continue to be realized.
- b. Secondary regulator - IEPA has authority to delegate certain regulatory activities to local governments and has done so under several programs. Certain efficiencies are gained when some regulatory actions take place at the local level. For the most part, these arrangements have worked well and have resulted in a net improvement in program operations. Where feasible, the IEPA will continue to seek out these opportunities and assume a secondary role as needed to ensure the integrity of program performance.
- c. Environmental information generator - IEPA creates a large amount of information about environmental quality in Illinois and about things that affect Illinois' environment. Under the NEPPS, we want to do a better job of sharing this information with the public and regulated community. The use of environmental goals and indicators should help us move in this direction.
- d. Policy and technical advisor - The IEPA is frequently called upon to give environmental policy and technical advice to a wide variety of interests. This environmental expertise represents a major asset that can be utilized to support our environmental aims.
- e. Financial provider - The IEPA provides financial assistance to eligible parties in a number of ways via grants, loans and cost-sharing for projects. These valuable resources need to be used wisely so that intended environmental benefits are realized.
- f. Project sponsor - IEPA assumes direct sponsorship for a wide variety of environmental improvement projects such as hazardous site remediation, tire dump cleanups, vehicle scrapping, collection of household hazardous wastes and safe disposal of abandoned hazardous materials. These environmental services help prevent or correct a wide range of adverse environmental conditions. IEPA is committed to delivering these services in a productive manner.
- g. Change agent and promoter - The IEPA has opportunities to display environmental leadership and pursue system changes where it makes sense to do so. We want to encourage innovation and to take full advantage of these important opportunities. In exercising such leadership, we become advocates and promoters of new ways of thinking and new approaches for addressing environmental problems. Fostering this outlook within the IEPA is critical if we are to cope with the rapidly changing world scene.

2. Region 5, USEPA - The federal government has a fundamental responsibility to protect the integrity of the nation's environment and health of its diverse citizenry. Both U.S. EPA and individual states conduct environmental protection activities. Because pollution does not respect political boundaries, USEPA must ensure that a consistent, level playing field exists across the nation. USEPA performs this vital function by providing leadership when addressing environmental problems that cross state, regional and national borders and ensuring a consistent level of environmental protection for all citizens. The Agency fulfills these responsibilities by working with its many partners--other federal agencies, states, tribes and local communities--to address high priority environmental problems. USEPA also carries out an important role in reviewing state program performance and assisting states and other partners in building their capacity to ensure protection of public health and the environment. Region 5 will continue to provide the State with funding for base programs and specific projects which will achieve environmental results consistent with USEPA and IEPA priorities set forth in this agreement and will evaluate State programs to ensure the fiscal integrity of the USEPA/State relationship. Region 5 will continue to build State capacity for undelegated programs with a goal of moving those programs to the States in the near future.

One of the roles of U.S. EPA, Region 5, as a partner to this agreement is to ensure that specified strategic objectives are addressed by the Agency. In addition to these joint priorities identified previously, the Region has identified additional long-term environmental priorities that need to be addressed by the Agency. In addition, the Region has identified priority places and approaches which will help direct limited resources in a manner which will enhance our effectiveness in addressing environmental problems. The following provides an outline of these priorities, places and approaches as they will be implemented in Illinois.

- Environmental priorities - Region 5 has identified the following priorities, which will be pursued in Illinois and the other Region 5 States through the following activities:
 1. Reduction of Toxics, especially Hg - Region 5 will work closely with States on the goal of mercury reduction through technical support, information sharing, scientific research, financial assistance, and regulation. Region 5 will continue to provide a forum for States to share information about mercury reduction activities, and will disseminate results of research on health and ecosystem impacts of mercury and on mercury sources and transport. Region 5 will also help States develop goals, milestones and indicators for mercury reduction. Furthermore, Region 5 will make available funding for mercury pollution prevention activities. In the area of regulation, Region 5 will assist States with implementation of municipal waste incinerator emission standards, and with the medical waste incinerator emission standards expected to be promulgated in 1997. In addition, Region 5 will evaluate alternatives to the incineration of organomercuric wastes and will explore options for safely landfilling mercury.

2. Brownfields redevelopment - Economic redevelopment is a high priority for USEPA, and Region 5 will facilitate a dialogue among all parties, provide funding where available for pilots, and will work to remove the stigma of contamination from Brownfields sites.
3. Attain air quality standards for ozone - This is covered in the air program strategy.
4. Cleaning up contaminated sediment - Cleaning up contaminated sediment Region 5 will work with the States on attaining the goal of cleaning up contaminated sediments and prevention of new or additional sediment contamination through a variety of means including: technical support; information sharing; scientific research and development; financial assistance; community outreach and education; partnershiping and support to voluntary efforts; regulatory support and actions. The focus of these efforts will be on the priority places including the Great Lakes Areas of Concern and other waterways identified by our partners.
5. Ensure Environmental Justice - On February 11, 1994, President Clinton issued Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations which focuses Federal attention on environmental and human health conditions in minority and low-income communities. The Executive Order directs Federal Agencies, including U.S. EPA, to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations. The U.S. EPA issued an Environmental Justice Strategy in April of 1995 and Environmental Justice Implementation Plan in April of 1996.

Region 5 is committed to promoting and supporting environmental justice with a goal of eliminating disproportionate environmental impact on low-income and people of color. Region 5 intends to continue its pursuit of environmental justice and has identified environmental justice as one of its six priorities in FY 97. To carry out this priority, Region 5 will conduct a variety of activities in the following areas:

1. Public Participation, Accountability, Partnerships, Outreach and Communication with Stakeholders - EPA will promote partnerships, outreach, and communication with affected communities, Federal, Tribal, State and Local governments, environmental organizations, academic institutions, non-profit organizations, and business and industry.
2. Health and Environmental Research - In coordination with others, EPA will design and conduct efforts to conduct environmental and human health research needed to support its environmental justice programs.

3. Data Collection, Analysis, Stakeholder Access to Public Information - EPA's mission of protecting public health and the environment depends on individuals within and outside of the Federal government having access to good data for informed decision-making.
4. Enforcement, Compliance Assurance, Regulatory Review and Permitting - EPA will include a focus on environmental justice issues in its enforcement initiatives and through compliance analysis, and regulatory review relating to populations covered by the Executive Order. EPA will implement Title VI of the Civil Rights Act and will consider environmental justice issues through the review of and comments on other Federal agencies' proposals and actions under the National Environmental Policy Act and Section 309 of the Clean Air Act.

Region 5 is also committed to take environmental justice into account in carrying out the above joint priorities to the maximum extent possible. To that end, Region 5 proposes that we discuss with IEPA ways in which we can coordinate our efforts and/or jointly develop a position paper that explores avenues by which Region 5 and IEPA can partner in ensuring environmental justice.

6. Protection and Restoration of Critical Habitat in Region 5 and the Great Lakes Basin - In accordance with the recommendations of NACEPT (June 1996) and the directives from EPA Headquarters, the role of EPA, with respect to the Protection and Restoration of Critical Habitat in Region 5 and the Great Lakes Basin, will be to foster stewardship by our partners among the public, in private organizations, business and industry, and government. While the role of EPA has changed and continues to change, the new approaches should supplement and enhance media-specific regulations and standards.

EPA can and should provide and seek training, enhance coordination and collaboration with partners, seek direction and focus through consultation and dialog with its regional and Great Lakes partners, and promote the use of mediation and negotiation to solve environmental problems. EPA will provide traditional and innovative applications of enforcement to ensure compliance with the law and maintain national consistency, and, assume the various roles of partner, convener, facilitator, mediator, etc. as the particular instance dictates. EPA will continue, as it has done in the past, to ensure that there is national consistency in the application of environmental laws, address transboundary issues between the States, address transboundary issues between the U.S. and Canada, and enforce federal environmental laws.

- Principal Places - Region 5 has identified a number of principal places to focus on in Illinois during FY 97:

1. Great Lakes (Lake Michigan) - EPA's Great Lakes Program brings together Federal, state, tribal, local, and industry partners in an integrated, ecosystem approach to protect, maintain, and restore the chemical, biological, and physical integrity of the Great Lakes. The Boundary Waters Treaty of 1909 and the 1987 Great Lakes Water Quality Agreement (GLWQA) with Canada provide the basis for our international efforts to manage this shared resource. Additional responsibilities are defined in Section 118 of the Clean Water Act, Section 112 of the Clean Air Act Amendments, and the Great Lakes Critical Programs Act of 1990. The Great Lakes 5-Year Strategy, developed jointly by EPA and its multi-state, multi-Agency partners and built on the foundation of the GLWQA, provides the agenda for Great Lakes ecosystem management: reducing toxic substances; protecting and restoring important habitats; and protecting human/ecosystem species health.

The federal role in the Great Lakes is to steer this effort and to provide timely technical support and assistance, coordinating not only with U.S. partners, but also with Canadian counterparts. Federal efforts are organized in a nested structure. The Great Lakes National Program Office (GLNPO) steers and coordinates activities at a Great Lakes Basin-wide level. Regional Teams and programs steer and coordinate activities focusing on Lakes Ontario, Michigan, Erie, and Superior and their Areas of Concern. For FY 97, Region 5 will:

- a. Monitor Lake ecosystem indicators - GLNPO will interpret and report information about Lake Michigan air, water, sediments, and biota through the Lake Michigan Mass Balance Study (LMMB), thus enabling the Agency and its partners to target further pollutant reductions. The joint GLNPO/Canadian atmospheric deposition network (including air monitoring stations on each Great Lake) will provide trend and baseline data to support and target remedial efforts and measure environmental progress under Remedial Action Plans (RAPs) and Lakewide Management Plans (LaMPs). GLNPO, with its Canadian counterparts, will report on environmental indicators in the biennial State of the Lakes Ecosystem Conference which will bring together over 400 representatives of the public and private sectors to facilitate risk- and science-based decision-making.
- b. Manage and provide public access to Great Lakes data - EPA's integrated Great Lakes information system, developed by GLNPO and its state and Federal partners, will deliver LMMB, and other, scientifically sound, easily accessible environmental information to decision makers and the public by traditional means and via the Internet. GLNPO will pilot techniques to provide public access to LMMB data via the Internet. Region 5 will also provide financial support to install hardware and software necessary to connect Waukegan's public advisory committee and citizens to computerized sources of environmental information.
- c. Help communities address contaminated sediments in their harbors - USEPA will complete its \$1.5 million contribution to the third on-the-ground State/Federal cleanup of contaminated sediments at a competitively chosen Great Lakes location. In addition, GLNPO will do field work and fund contaminant assessment and remedial design for State and local groups at Areas of Concern. USEPA will

assimilate all available data on sediments in the Calumet River and identify needs for additional information. This activity is part of a larger effort to address sources of persistent pollutants in sediments in the Indiana/Illinois Calumet River System.

- d. Support local protection and restoration of important habitats - GLNPO will assist new habitat protection/restorations at ecologically important locations around the Great Lakes Basin. USEPA will provide financial support to and participate in facilitated discussion with landowners and stakeholders on the future management of wetlands in the Calumet area of Chicago.
 - e. Promote pollution prevention through activities and projects such as Virtual Elimination - USEPA will continue to target reduction of toxics, with an emphasis on those addressed in the Binational Virtual Elimination Strategy.
 - f. Provide and promote community-based environmental protection, especially in AOC's - USEPA will continue to support the participation of local representatives from around the Lake, including Waukegan, in the development of the Lake Michigan LaMP. USEPA will also include local citizens and interest groups in discussions concerning Calumet area wetlands.
 - g. Support Illinois' adoption and implementation of the Great Lakes Water Quality Guidance - USEPA will provide technical and legal support to the State as it adopts and implements provisions consistent with the Great Lakes Water Quality Agreement.
 - h. Lake Michigan - Region 5 will lead a multi-agency effort to develop a Lakewide Management Plan (LaMP) for Lake Michigan, and will provide funding to support the Waukegan Harbor Remedial Action Plan efforts and investigation of the status of SE Chicago/Lake Calumet wetlands. Region 5 will also facilitate a dialog regarding land use impacts on the lake and support environmentally sensitive redevelopment, protection and/or creation of habitat in the near lakeshore area. All information generated will be formatted and interpreted to be usable by a wide spectrum of users and promote partnership efforts.
2. Upper Mississippi River - Region 5 will support the Illinois River Valley Project and will be focussing on the Illinois River as part of the effort to address concerns over hypoxia in the Gulf of Mexico. The two efforts should be complimentary and Region 5 EPA will work towards accomplishing the objectives of the Illinois River Valley Partnership. The project's objects, developed by representatives from the State, including IEPA, local governments, industry, agriculture, academia and public interest groups, are: The achievement of healthy levels of abundance, distribution, and diversity of plant and animal communities, the restoration of equilibrium of one percent of the highly eroded streams by the year 2000, ten percent by 2010, the attainment of water quality standards in all stream segments of the Illinois River Valley (including, every ten years, a ten percent improvement in the IBI for those segments), the reduction in the deviation from the natural hydrograph, the reduction by 2-3% of peak flows to the river for floods with

frequencies of 2-3 years, the building of a viable economy that enhances the ecological value of the Illinois River Valley through high quality job creation at a rate above the state average, and a measurable reduction in sediment entering the Illinois River and its tributaries.

3. Greater Chicago Initiative - The Greater Chicago Initiative focuses on Cook County, Illinois, particularly on the environmental justice areas of the Southeast and West Sides of the City of Chicago. The purpose of the Initiative is to work with local stakeholders, including Region 5, the State of Illinois, Cook County, the City of Chicago, industry, and citizens to coordinate various government and private environmental activities for the purposes of effectiveness and efficiency. A further, and very important, function of the Initiative is to address environmental problems that fall outside the purview of the regulatory agencies' base programs. These are often areas of environmental concern that will require innovative approaches to long standing environmental problems that have been very difficult to solve. In other words, it is the intent of the Initiative to supplement the ongoing program work that each government agency performs in the course of its day-to-day activities.

The focus areas of the Initiative suffer from a range of problems associated with aging industry, decay of infrastructure, job flight, and general urban malaise. Yet positive qualities, some unique, have also been attributed to the area: cultural and ethnic diversity, available labor and land, a viable central downtown and important natural sites. Accordingly, priorities for Initiative work for Fiscal Year 1997 are as follows:

- illegal dumping
- odors
- enforcement
- large-scale soil contamination
- asthma
- coordination of habitat protection/restoration
- pollution prevention
- environmental job training and placement

Federal Role - Region 5 will continue to take the lead role in developing and implementing goals and objectives for the Greater Chicago Initiative. Region 5 envisions its leadership role as facilitating partnerships between the various stakeholders within the Greater Chicago geographic area, as well as providing limited administrative resources. The Region invites other stakeholders to continue to identify issues of concern and encourages these stakeholders to take the lead on specific projects, through the establishment of workgroups for the identified priorities and any other areas of concern that may be identified during the year. We will look to the Greater Chicago Pollution Prevention Partnership and Chicago Wilderness as models of how to work with our partners on specific activities.

State Role - The IEPA will participate in this initiative in an appropriate manner. Priorities will be addressed through specific activities that promote effective use of available resources.

4. Gateway Initiative - A very successful and fruitful partnership has developed over the last few years between the Region 5 Gateway Team and the staff of the Illinois EPA, particularly the Collinsville office, as we work together to achieve the goals in the Metro East area of improving the quality of life and protecting the natural resources within that community, as well as improving the community economics. Region 5 and IEPA will work together on a Gateway Lead Workgroup that will collect and analyze existing data on lead and identify exposure pathways, not spots and other data needs. IEPA will continue to work with USEPA to identify candidates for inspections/enforcement and provide technical assistance to facilities and communities. IEPA Air Program and Public Affairs Office will support USEPA's effort for a community forum on air issues and will participate in identifying the extent of contaminated sediments, as well as participate in discussions to alleviate flooding with restoration and enhancement of wetlands. Both agencies will continue to focus brownfields activities on the metro East St. Louis area and work toward development of community based indicators of environmental health. IEPA and USEPA will continue to work on tire collection and sweeps and explore areas that would enhance coordination on groundwater issues.

IEPA will work with USEPA to provide for special data runs to report Gateway-specific numbers from some of the indicators and performance measures areas already identified within the EnPPA for the following areas: toxic chemical releases, pollution prevention, ozone nonattainment, hazardous air pollutants, acid rain, shallow groundwater, waste disposal at permitted facilities, open dumping, contaminated lands, waterway conditions, wastewater discharges, finished drinking water and groundwater recharge areas.

- Critical approaches - Region 5 has also identified critical approaches to use in implementing its on-going programs: building state, local and tribal partnerships, enforcement and compliance assurance, risk and science-based decision-making, multimedia approaches, pollution prevention, enhanced public communication, providing internal resource investments for change and using common sense. Together, these approaches guide us to serving our partners and the environment better. Some of these approaches are detailed below with the Region's plan for FY 97:
 1. Community Based Environmental Protection (CBEP) - Region 5's CBEP approach is our new way to facilitate the Agency's ability to maximize environmental results by collaborating with others to solve environmental problems in places. This problem-solving approach provides a setting in which EPA, other agencies, and community members work together to identify environmental problems, priorities these problems, develop solutions, and initiate work towards eliminating these problems. During 1995 and 1996, the Region reorganized in part in order to perform work in places (the geographic initiatives discussed above) to supplement and enhance the Agency's media programs. The next step will be to build on the 1995 CBEP action plan. States and Tribes will be asked to collaborate on this plan.

2. Measuring and Managing for Environmental Results - Region 5 and the six States have agreed that measuring and managing for environmental results is a joint priority and have formed a senior management Steering Committee to oversee and direct the implementation of this joint priority, including identifying the commonalties in environmental goals and indicators being used by USEPA and the States and weaving them into a common approach. The major vehicle for documenting how the States and USEPA will measure and manage for environmental results is the Environmental Performance Agreements which will include joint priorities; National goals and indicators, as appropriate; Regional priorities and indicators, as appropriate; and State specific priorities and indicators. Internally, Region 5 is committed to relying heavily on environmental data to evaluate environmental conditions, identify existing and emerging environmental problems, set environmental priorities, and make decisions to address the highest priorities in a flexible and responsive manner. For fiscal year 1997, Region 5 is developing environmental goals, milestones and indicators to our top six environmental problems, for the ten critical places, and for the ten critical approaches that we will use to solve the environmental problems. Region 5 is also establishing partnerships with other Federal, State, Tribal, and local agencies to facilitate the sharing of environmental data and information to use in establishing and tracking environmental indicators. In keeping with our commitment to high quality data, Region 5 will work with States to assess the requirements of the new order on Quality Assurance when it is issued, and will assist States in development of appropriate Quality Management Plans.
3. Enforcement and Compliance Assurance - Enforcement and compliance assurance activities are critical to ensuring that regulated entities who violate environmental requirements do not gain a competitive advantage over those who comply with environmental laws. U.S. EPA carries out its responsibilities in the enforcement arena in a variety of ways. The Agency acts as environmental steward, ensuring that national standards for the protection of human health and the environment are implemented, monitored and enforced consistently in all States. Under this EnPPA, U.S. EPA and IEPA retain their authorities and responsibilities to conduct enforcement and compliance assistance. Specific federal enforcement and compliance assistance responsibilities include:
 - Work on National priorities (e.g., multi-media inspections, companies with significant company-wide non-compliance in several States, and OECA Priority Sectors)
 - Work on Regional priorities, including enforcement and compliance assistance in Region 5's 10 Principal Places, as well as using this approach to ensure environmental justice (EJ), toxic reduction, sediment clean up, brownfield redevelopment, attainment of NAAQS for Ozone, and protection and restoration of critical habitats

- Filling the gaps, if any, to ensure timely and appropriate enforcement in State programs
- Ensuring a level playing field and National consistency across State boundaries
- Addressing interstate and international pollution
- Addressing criminal violations
- Multimedia inspections and enforcement at federal facilities
- Enforcement in non-delegated, partially-delegated or non-delegable programs
- Enforcement to assure compliance with federal consent decrees, consent agreements, federal interagency agreements, judgements and orders.

In FY 1997, U.S. EPA and IEPA agree to work toward a goal of optimizing the use of the Agencies combined resources to secure compliance. The objective of IEPA and U.S. EPA enforcement and compliance programs is to encourage regulatory compliance and correct violations. To achieve these goals, IEPA will identify and evaluate existing enforcement response plans, updating them as necessary to ensure timely and appropriate enforcement can be conducted.

For both IEPA and U.S. EPA, enforcement and compliance assistance is conducted in the individual media programs. However, both Agencies conduct multi-media enforcement and compliance assistance activities which will require coordination. U.S. EPA and IEPA will openly share information on enforcement and compliance assistance activities in the State of Illinois. While individual program activities will be coordinated on a program specific basis, multi-media activities will be coordinated, when appropriate, through Region 5's Office of Enforcement and Compliance Assurance (OECA) and the Compliance Management Panel. Specific multi-media activities that IEPA and U.S. EPA will work together on in FY 1997 include: 1) On-site compliance assessments of dry cleaners in the Chicago area to evaluate the effectiveness of past State outreach activities; 2) Compliance sweep of electric arc furnace facilities in the State of Illinois; 3) Petroleum refinery round table discussions; and 4) coordination on multimedia inspections.

The effectiveness of IEPA and U.S. EPA's enforcement and compliance assistance efforts will be measured and reported through the individual media programs. U.S. EPA and IEPA will work together during FY 1997 to develop meaningful environmental indicators for enforcement and compliance assistance activities.

D. Relationship of Agreement to Grants

For FY 97, Illinois EPA will operate under a Performance Partnership Grant (PPG). The programs that are described under this agreement are coordinated with the program

elements used for the PPG. With this approach, we have taken a major step towards a more integrated approach to environmental management in Illinois.

Illinois EPA has chosen to operate under a PPG to gain more flexibility in use of federal funds, to reduce the administrative burden of having numerous, specific categorical grants/work plans, and to make some key resource investments in priority activities. In particular, we have provided for such investments in the regulatory innovation and pollution prevention programs. We also see the performance partnership agreement and related grant as important tools to enhance consistency for performance measurement and accountability among the many environmental programs.

The parties also recognize that some specific project grants will continue in effect and operate in concert with this agreement. These special activities are best managed in this coordinated manner to ensure program integrity. The attached listing of grants shows the breakout between the categories of federal funding for FY 97.

E. Joint Planning and Evaluation Process

The parties believe it is important to clearly articulate how all the components of the performance partnership are interrelated and sequenced. This need is especially critical for FY 97 because IEPA will be operating under a comprehensive performance partnership grant for the first time. Thus, we will rely on a mutual commitment to carry out the following joint planning and evaluation process (Note - The milestones shown reflect the desired timing of this process after we have everything well in hand. For FY 97, the actual events are occurring at a slower pace as we work things out.):

<u>Actions</u>	<u>Milestones</u>
1. Annual Environmental Conditions Report	April
2. State's Self-Assessment	June
3. Planning Dialogue Session	July
4. Agreement Negotiations	August
5. Final Performance Partnership Agreement	September
6. State's Performance Report for PPG	November
7. Region's evaluation of State's annual report	January

The State's self-assessment will serve a dual purpose; that is, as the mid-year review and as a planning basis for the next year's agreement. It is also expected that national program guidance should be available at about this same time. File reviews or other oversight by Region 5 will be coordinated with this mid-year and annual report cycle.

II. SCOPE OF AGREEMENT

On August 19, 1996, IEPA submitted to Region 5 an Environmental Performance Self-Assessment for the following programs:

Toxic chemical management	Environmental Education
Environmental emergency management	Clean air
Special developmental	Land
Pollution Prevention	Clean/Safe Water

For this agreement, we have revised how some of these programs are grouped and presented. As a result, we now have 9 programs that are described in Section V of the agreement. The first five programs (A-E) have been described individually but are all part of a comprehensive program element, Multimedia Programs, for purposes of the PPG.

While USEPA and IEPA have attempted to provide a description of each Agency's environmental protection activities for the period of this agreement, it should be noted that there may be additional activities warranting action that are not contemplated at this time. USEPA and IEPA agree that coordination will occur as appropriate over the course of the agreement period to avoid overlap and duplication of effort in addressing new issues and concerns as they arise.

Furthermore, we recognize that this agreement does not necessarily encompass every agreement between IEPA and USEPA, and that some agreements, relationships, and activities will be described elsewhere. (USEPA also has agreements and responsibilities with other State agencies that are not included in this agreement.) This agreement does not replace or supersede statutes, regulations, or delegation agreements entered into previously with the State.

III. GENERAL PRINCIPLES FOR STATE/FEDERAL RELATIONSHIP

The IEPA and Region 5, USEPA have complementary missions to protect and restore the air, land and water resources. In order to accomplish these missions, the IEPA and Region 5 must maximize their resources and minimize activities that don't contribute to these missions or that hinder their accomplishment. Therefore, in working toward our mutual success, the IEPA and Region 5, USEPA, agree to the following principles:

- We will work together as partners in a spirit of trust, openness and cooperation and with respect for each other's roles.
- We will work to ensure that the State, as the major implementer of state and federal environmental protection programs in its jurisdiction, has the greatest degree of flexibility allowable under existing laws and delegation guidelines based on program performance and environmental progress.
- We will coordinate our work to avoid duplication of effort.

- We will work to ensure that communication is frequent and timely to avoid surprises; that communication within each agency occurs and that efforts are made to ensure that the right method of communication is used and that information reaches the right person.
- We will use an agreed upon dispute resolution process (see attachment) to handle the conflicts that are certain to arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.
- We will acknowledge EPA's role in the direct implementation of federal programs and in ensuring that federal programs are carried out in a consistent fashion throughout the region.
- We will work to ensure that staff at all levels are aware of and held accountable for realizing these agreed upon principles.

IV. ENVIRONMENTAL RESULTS

Under the NEPPS, state and federal program managers are directed to focus more on "improving environmental results." To achieve this new focus, the NEPPS calls for setting environmental goals and using environmental indicators to keep better track of our progress. We see this new focus as part of the next generation of environmental protection that is starting to emerge and take shape in various ways.

Both IEPA and Region 5 have some experience working with characterization of environmental conditions. IEPA has historically collected ambient environmental quality data and reported findings in various ways. Under the NEPPS, however, we think that more attention must be paid to developing improved linkages between actual environmental conditions and program performance so that we can better assess our effectiveness over time. It should also help us to apply our resources where they will do the most good.

A. Environmental Goals and Indicators

In the FY 96 agreement, IEPA committed to provide for public review of the proposed environmental goals/indicators. In particular, we wanted to be sure that interested stakeholders had an opportunity for direct discussions with key program staff that developed the goals/indicators. We also wanted to see what these stakeholders thought about the new Annual Environmental Conditions Report. To provide for this public review, we held two workshops; one in Chicago on April 25, 1996, and one in Springfield on April 26. We sent out letters to selected stakeholders and requested their participation. The draft annual report was sent to these persons about a week before the workshops. USEPA representatives participated in both sessions so they could get first-hand feedback about our proposed goals/indicators report. Senior staff from IEPA and Region 5 made presentations at both workshops. IEPA staff led, and Region 5 staff attended breakout sessions at both workshops. In addition, Debra Martin, from USEPA's Office of Policy, Planning and Evaluation, made a presentation at the Chicago workshop about the national goals project. To facilitate the dialogue process, four breakout

sessions were conducted for multimedia, air quality, land quality and water quality. Participants were encouraged to take part in as many sessions as they wanted. In this way, our program staff could interact with more stakeholders and hear more viewpoints about our work. A summary record of these sessions was prepared and made available. We were generally pleased with the turnout and satisfied that we got a good cross-section of views. As a result of this public process, IEPA and Region 5 agreed on a final set of 23 goals and 26 indicators.

For FY 97, the agreement contains 25 goals and 25 indicators to reflect the expanded programmatic scope. These measurement tools are presented within the description for each of the participating programs. We see these goals as a useful way to focus more attention on environmental results and to guide program planning. We do not view these goals as specific deliverables that involve accountability for grants purposes. In other words, program success does not hinge solely on attainment of particular goals. Establishment of these environmental targets gives programs a more clear sense of direction and certainly sound performance should show some progress towards the desired outcome. It must be understood, however, that some environmental conditions are influenced by factors beyond the normal control of an environmental program. Thus, actual attainment of a goal may be compromised even though program performance went very well by most measures. Even with such limitations, we believe it has been useful to go through the goal setting process and to work on program linkages.

B. Annual Environmental Conditions Report

In July, 1996, IEPA released the final Annual Environmental Conditions Report - 1995. This report presents a full account of our environmental progress for the 23 environmental goals and 26 environmental indicators. It also has a summary record of the two public workshops that were held to get stakeholder involvement and response. Thus, we have gotten underway with placing greater emphasis on environmental results.

From year to year, we expect to gain more understanding regarding the directional influences between the goals/indicators and the performance of these environmental programs. Eventually, we envision a two-way, inter-active relationship will develop. Performance strategies are designed to achieve progress towards the desired environmental outcomes. In turn, information gathered for the indicators may influence the program directions that are taken.

For FY 97, we expect to have the final annual report completed in April to be consistent with the joint planning and evaluation process. Region 5 will be provided a draft of each annual report and may contribute any information that is relevant. This report will also be shared with the other five states in Region 5 and the other states that border Illinois. Through this exchange process, we should learn more about how well the environmental indicators are working and share our experiences in striving for environmental results.

V. PROGRAM PERFORMANCE AND ACCOUNTABILITY

For the first agreement, Illinois EPA and Region 5 concentrated on development of the environmental goals and indicators, since these tools serve as a basic building block of the new partnership. We were not able, however, to finish the task of refining the program performance measures. In particular, we found it necessary to simply fold in the core performance measures that were provided by each major national program office. For this second agreement, we have worked to improve the alignment and linkages among all three types of measurement tools. In some cases, these efforts will continue during FY 97, but we still think that an improved performance measurement system has been put into place this time.

To buttress this three-part measurement system, Illinois EPA has clearly articulated the planned outputs that we expect to generate. We see these activity measures as a transition tool that provides assurance the work products will be delivered as planned. These outputs were typically relied upon to judge performance success under the old state/federal relationship. As we gain confidence in the new performance measurement system, we believe it will be possible to rely more and more heavily on environmental indicators and minimize “bean counting” as the basic accountability mechanism.

Special feature - Towards this end, Illinois EPA and Region 5 have agreed to rigorously evaluate the national environmental data and reporting systems for each major program and to prepare a report by mid-year with recommendations for streamlining, wherever possible. Our intention is to then work with national program offices on implementation of reporting reductions for FY 98. This effort is believed to be critical for realizing the full potential of the NEPPS.

Illinois EPA and, when applicable, Region 5 agree to the following multi-program performance deliverables for FY 97:

- a. Program weaknesses or improvement needs that are identified in the IEPA's self-assessment, in concert with EPA's perspective on environmental conditions and program performance, will be appropriately addressed.
- b. National environmental information and reporting systems will be supported through timely submittal of data that is collected by the State and Region.
- c. Suitable fiscal controls will be operational and adequate financial reporting will be maintained.
- d. Core performance measures and specific planned outputs will be addressed as shown in the program-specific sections of this agreement.
- e. Performance strategies will be implemented and results achieved will be evaluated in the next self-assessment and the annual performance report.

To accommodate what we are still learning about NEPPS, we may need to revise our performance expectations at appropriate times during the year. Both parties are amenable to being responsive to responsible requests for change as the circumstances may dictate.

The following programs are participants in the NEPPS and will be accountable accordingly.

MULTIMEDIA PROGRAMS

For FY 97, Illinois EPA is making several investments in the multimedia programs described in subsections A-E. These commitments of additional resources reflect our determination that more effort is necessary in the specified program (marked with a ★) if we are to achieve the desired environmental results. For the purposes of the PPG, programs A-E are all part of one comprehensive program element for multimedia programs.

A. Toxic Chemical Management Program

1. **Program Description** - The toxic chemical management program deals primarily with certain chemicals that are regulated under TSCA and the "toxic chemicals" that are subject to reporting under Section 313 of EPCRA. Other toxic chemical information may also be extracted from other environmental programs as data integration comes on-line. In general, we are working towards more comprehensive and integrated management of toxic chemical risks. For management purposes, we prefer to bring these activities together and to promote their common elements where possible.
2. **Program Linkage to Goals/Indicators** - An environmental goal and indicator is provided for toxic chemical releases. Illinois has about 1,370 facilities that file the required annual report regarding toxic chemical releases. Over the past six reporting years (1988 to 1993), there has been a clear downward trend of about 30% in the total amount of toxic chemical releases. We think this trend resulted from a variety of forces and actions. For example, some companies voluntarily decided to achieve significant release reductions as a matter of good policy. The USEPA promoted release reductions for 17 priority toxic chemicals in its 33/50 program. Some companies reduced releases to achieve compliance with various pollution control requirements.

Over the next five years, our performance strategies should help ensure that this downward trend continues. The annual toxic chemical report will be used to encourage continued progress with release reductions. Greater availability and better integration of toxics chemical information should help program managers find opportunities for more reductions. Finally, good performance from other media programs will help achieve the desired outcome.

The following table shows the environmental goal and indicator that have been developed and a related core performance measure for this program.

Goal	Indicator	Core Perf. Measure
------	-----------	--------------------

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> ● The total amount of reported toxic chemicals released in the year 2000 will be reduced by 30% as compared to 1995. | <ul style="list-style-type: none"> ● Total amounts (pounds) of toxic chemicals released and transferred per year by industrial facilities that must file an annual report for TRI. | <ul style="list-style-type: none"> ● Percent of regulated facilities that timely file Form R reports. |
|--|---|--|

3. **Performance Strategies** - As a result of a strategic planning session held in August, 1996, IEPA and Region 5 agreed to pursue an action agenda for FY 97 that would enhance mutual cooperation and promote better toxics management. This agenda has been incorporated into the specific strategies that are presented here.

- a. **Toxics release information (TRI)** - With assistance from Region 5, IEPA will undertake several on-site TRI data quality evaluations during FY 97. This is a pilot effort in that IEPA has not conducted these evaluations in the past. Most of our past compliance work has related to non-filers and simple cleanup of submitted Form Rs. IEPA and Region 5 will also develop a joint plan for TRI outreach during FY 96. IEPA's Annual Toxic Chemical Report will be further revised to reflect our new environmental goals and indicators. Industry progress towards achievement of the reduction target (30% over 5 years) will be identified on a sector basis.

•Planned Output 1 - Annual Toxic Chemical Report

•Planned Output 2 - TRI evaluations from facility visits.

- b. **Toxics database integration** - This project has been extended into FY 97 so that certain other initiatives, such as our new compliance process, can be concurrently considered. We expect to complete this work in the third quarter and submit the final project report before the end of the fiscal year.

The IEPA has also been involved with the USEPA's workgroup for development of a uniform facility I.D. We expect to continue this involvement, as needed, during FY 97.

•Planned Output 3 - Final project report

- c. **PCB compliance assurance** - A reduction in available funding means scaling back this effort to 29 inspections and samples. To help offset the loss of funding for sample analyses, a pilot effort using field screening tests will be used. Outreach regarding PCB phaseout and compliance assistance will also continue at a reduced level.

•Core Perf. Measure - Percentage of inspected facilities that are compliant with PCB regulations.

•Planned Output 4 - Twenty-nine PCB inspections, related sample results and inspection reports.

•Planned Output 5 - Preparation of enforcement cases, if applicable.

- d. Safe removal of lead-based paint - Focusing on removals from exterior surfaces and superstructures, IEPA will continue to explore a more efficient regulatory scheme that focuses on prevention rather than response to problems.

•Planned Output 6 - Decision about regulatory proposal.

- e. Access to federal CBI data - It is difficult to predict what direction this policy issue will take. IEPA will continue to participate, as appropriate, with USEPA in working out an acceptable approach. Some consideration of this matter will likely take place in the Chemical Management Project within the FOSTTA.

- f. Emerging toxics concerns - IEPA has begun an effort to develop a strategy for assessing impacts of endocrine disruptors. These represent a new class of toxic chemical concerns with, as yet, poorly understood environmental and public health consequences. We see this as partly an educational process for us as well.

•Planned Output 7 - Initial strategy for endocrine disruptors.

4. Program Resources

- a. Toxic chemical release information - This activity is funded entirely from State sources.
- b. Toxic chemical database integration - The allocation of federal funds for this project is provided for in an existing grant agreement between IEPA and Region 5, USEPA. This agreement goes through May, 1997. The IEPA is responsible under the existing grant agreement to deliver the specified work products. Staff at IEPA communicate with the Project Officer at the USEPA about the status of this work.
- c. Access to CBI data - The USEPA is not providing any federal funds for this special contract. The IEPA is providing staff support that is funded from other sources.
- d. PCB compliance assurance - The work will be performed through the Office of Chemical Safety at IEPA. The Agency will devote 2.3 full-time equivalent headcount to inspectional, case development, phaseout and outreach activities. Five personnel will be utilized on a part-time basis each. These staff will do TSCA half-time and

emergency response otherwise. Only two inspectional case development/phaseout/outreach headcount would be charged against the grant. IEPA will continue to utilize its Organic Chemistry Laboratory (Springfield) for securing and analysis of samples taken during compliance inspections. The Springfield laboratory has been evaluated and approved for PCB analysis by the USEPA, Region 5 office. Administrative and clerical headcount for inspectional and case development will total 0.15 of a full time equivalent headcount. A State Quality Control Officer will be designated within the Office of Chemical Safety to assure that report format and contents are consistent with USEPA standards, and that all suspected violations are properly documented before reports are submitted to USEPA Region 5 for case review and development. Sample analysis quality will be assured by a review process as specified in the previously approved Quality Assurance Project Plan.

- e. Lead-based paint removal - This activity is currently funded entirely from state sources. Federal funds may be available from TSCA under the multi-media compliance pilot project program.
 - f. Emerging toxics concerns - This activity is funded entirely from State sources.
5. **Federal Role for Toxic Chemical Management Program** - Region 5 will help implement the agreed action agenda as follows:
- 1. Evaluate results obtained from IEPA's field screening of PCB samples and work towards agreed protocol for using this tool on an on-going basis.
 - 2. Interact with IEPA to better understand how the new TACO process relates to PCB requirements.
 - 3. Work with IEPA on a joint plan for TRI outreach and on conducting TRI data quality reviews at facilities in Illinois.
 - 4. Provide relevant information about control/regulation of lead-based paint removal.
 - 5. Begin dialogue with IEPA about strategies for dealing with endocrine disruptors.
 - 6. The TRI and TSCA Programs will play an advisory role on issues pertaining to EPCRA § 313 and TSCA whenever IEPA requests and address the following:
 - The TRI and TSCA Programs will make sure that IEPA is updated on new regulations, policies and guidance and Regional initiatives within the State of Illinois.
 - The TRI and TSCA Programs will provide IEPA technical assistance on EPCRA § 313 and TSCA regulations.
 - The TRI and TSCA Programs will advise IEPA on EPA National and Region 5 priorities, goals and enforcement strategies.

6. Oversight Arrangements

- a. Toxics release information report - Not applicable since no federal funding is involved.
- b. Access to CBI - Not applicable.
- c. Toxics data integration - The current arrangement is specified under the grant agreement.
- d. PCB compliance assurance - Oversight will be minimized for this activity. IEPA has continued to demonstrate sound performance for all aspects of this program.
 - The parties will use the joint planning and evaluation process described in Section I as the principal review procedures.
 - Appropriate inspection reports will be submitted by the IEPA.
- e. Lead-based paint removal - Not applicable due to the absence of federal funding.
- f. Emerging toxics concerns - Not applicable.

B. Environmental Emergency Management Program

- 1. **Program Description** -This specialized activity deals with prevention of, preparedness for and response to environmental emergencies such as spillage or sudden, accidental release of hazardous substances. Appropriate and timely response to these incidents is a high priority for the parties. The IEPA's role is spelled out in law and in coordinated state, regional and national contingency plans. The general authority and responsibility of the State administrative agencies to deal with disasters and emergencies is specified in the Illinois Emergency Management Act.
 - The Illinois Emergency Management Agency (IEMA) is the State's principal coordinator for disaster response. This agency serves as the single official State point of contact for notification of emergencies and has developed an all-disasters management plan called the Illinois Emergency Operations Plan. The IEMA operates the State Emergency Operations Center to handle disasters.
 - The IEPA is the lead State agency for technical response to emergency events involving oil and hazardous materials, although some exceptions apply. This functional area of response coordination is one of nineteen that make up the Illinois Emergency Operations Plan. IEPA is also a support agency in certain other functional areas.

The OCS is also involved with the preventive aspect of environmental emergencies. One means is through implementation of the Illinois Chemical Safety Act, which requires certain industrial facilities to develop and maintain chemical safety contingency plans and conduct periodic training for designated staff that deal with chemical emergency incidents. Another

means of prevention is by oversight of comprehensive chemical safety audits that are performed by facilities on chemical process operations. These are usually in response to a permit requirement or a court sanctioned consent decree negotiated to resolve a lawsuit filed by the State concerning a spill or release. These chemical safety audits often involve Hazard and Operability (HAZOP) studies or similar comprehensive safety reviews such as those that are described in the USEPA proposed Risk Management Plan regulation (40 CFR Part 68).

2. **Program Linkage to Goals/Indicators** - An environmental goal and indicator is proposed for environmental emergencies. During 1995, the IEPA received 2,592 emergency incident notifications. As a result of these situations, some 227 members of the general public were hospitalized. More than 1,325 people were known to be evacuated because of these emergencies. From 1986 through 1995, the IEPA has declared 64 “significant releases” under the authority of the Illinois Chemical Safety Act. These events resulted in injuries to 733 persons and evacuation of 2,976 persons. Detection of a clear trend has been difficult; particularly, for incidents when adverse off-site consequences have been involved.

Over the next five years, our performance strategies should result in a definite drop in the number of emergency incidents at fixed facilities and during transportation. Facilities will be better informed and prepared to prevent and/or handle emergencies due to IEPA’s analysis of and reporting about significant release incidents. Some specific industrial processes at facilities should be safer to operate due to the special studies that will be done and related hazard reduction actions taken. IEPA’s enhanced enforcement efforts, especially for frequent spillers/releasers, should also lead to less frequent and less severe incidents at some facilities.

The following table shows the environmental goal and indicator for this program and a related core performance measure:

Goal	Indicator	Core Perf. Measure
<ul style="list-style-type: none"> ● The total number of reported emergency release incidents will decline over the next five years. 	<ul style="list-style-type: none"> ● Annual total number of reported emergency incidents that involve fixed facilities and transportation. 	<ul style="list-style-type: none"> ● Percent of fixed facilities that have multiple incident notifications in the reporting year.

3. **Performance Strategies** - Appropriate response to environmental emergencies is among the highest priorities of IEPA and Region 5. Management of that response is conducted within the context of a larger disaster management framework involving all State agencies working with local and federal authorities.

- a. Reaffirmation of the roles of responders and the system of managing emergency response within IEPA is a near term goal that will be achieved by adoption and implementation of a new IEPA policy on emergency management during FY 97.

•Planned Output 1 - Adopted emergency management policy.

- b. IEPA will continue to operate a response system that has four principal components.
- Duty officers - In order to ensure IEPA capability to assess emergencies on an around-the-clock basis, OCS maintains a duty officer system. Each of the 9 volunteer duty officers is an IEPA professional who is available on-call to the IEMA dispatchers during non-office hours for a week at a time. IEMA receives spill notifications on their toll free hotline on a 24-hour basis and also receives calls during non-office hours. The duty officer evaluates each notification and can contact an on-call ERU staffer in each of the three ERU offices in the State (Maywood, Collinsville, and Springfield) for further technical advice or to request them to respond in person to an incident.
 - Core response team - OCS has professional staff that work full-time on responding to emergency incidents. This core response team operates principally out of Springfield but also has field staff in Maywood and Collinsville. Whenever possible, the IEPA dispatches these specially trained staff to handle emergency situations. This team also gives expert advice to other field operations staff and local officials that may have responded to an incident.
 - Regional field personnel - Over 183 technical staff from the Agency's field offices are distributed in seven regions throughout the State and may be called on to respond to incidents when they either are closest or when individuals have unique technical expertise.
 - Legal support - The IEPA has provided an attorney and a paralegal for support of this activity. Various types of viable enforcement cases arise from these emergency situations.
 - Federal assistance - Region 5 will work with IEPA to determine the feasibility of allowing advance funding to states from the federal OPA fund. Coordination with the Coast Guard will be necessary since the fund is controlled by their rules.

•Planned Output 2 - Number of emergency incident notifications and IEPA on-site responses.

•Planned Output 3 -Record of incidents with adverse consequences off site.

•Planned Output 4 - Material recovery for emergency incidents.

- c. There are several efforts focused on the preventive aspects of emergency management that target one or more of the probable causative areas. The non-random or systemic causes can be reduced by focusing efforts to correct the root cause which may be traced to one or several operational, process design, maintenance or management deficiencies. OCS has also begun systematically focusing more efforts recently on compliance efforts involving business which frequently report incidents. In the past, this type of approach had been limited to facilities which had very egregious incident histories.

- Chemical safety activities - Under the Illinois Chemical Safety Act (ICSA), future strategy will be to increase the effectiveness of such plans by conducting a study of “significant releases” that have occurred during the past ten years and communicating the results with the facilities regulated by ICSA. This study will encompass the causes of such releases, the impact of ICSA plans in mitigating releases, and the deficiencies frequently found when plans have been reviewed by IEPA.

•Planned Output 5 - Number of significant release reviews conducted and recommendations sent to IEMA.

- Another approach used by IEPA to address serious releases from technologically complicated process facilities is to require and monitor the conduct of detailed engineering studies of accidental chemical release potential. Such studies usually begin by identifying risks for various failures in the processes that can result in chemical releases. Often a very detailed and systematic procedure called a Hazards and Operability Study, or HAZOP, is conducted. This approach has been most frequently used by IEPA in an enforcement context as a stipulation of a consent decree. In other situations, such studies have been required as a permit condition.

•Planned Output 6 - Number of HAZOPS

- d. Recently, greater emphasis has been given to the use of enforcement and compliance assurance tools to obtain more prompt and thorough cleanups. Facilities or entities which have a relatively high frequency of spills have also been targeted for increased scrutiny. Examples are the oil and fuel pipeline operators, railroad locomotive spills and spills to surface waters. In addition to remediation, a strategic focus of this effort is to encourage adoption of approaches to reduce the recurrence of these types of incidents.

•Planned Output 7 - Number of enforcement actions taken.

4. **Program Resources** - Historically and practically the emphasis has been toward responding to emergencies, assessing the risks the human health and the environment, assisting local responders as appropriate, and assuring appropriate cleanup by the responsible party or with public resources when necessary. About 7 staff are devoted to response, 4 staff to subsequent compliance and enforcement, 1 person to ICSA implementation and 1 person to HAZOP activities. These core staff are funded from non-federal sources. Other field staff that work in the Air, Land or Water Bureaus are funded from a mixture of sources that is addressed in their respective program performance sections.
5. **Federal Role for Emergencies** - State emergency management is coordinated with federal capabilities in general through the Federal Response Plan. With respect to the technical aspects of environmental emergencies, state and federal efforts are coordinated in accordance with the Regional Contingency Plan for hazardous materials and with the Oil Pollution Act Area Contingency Plan for oil spills to surface waters. If the USEPA is notified of a release or other incident which might require an emergency response, it will notify the IEPA. The IEPA may request technical and/or enforcement assistance from USEPA if it is unable to adequately respond due to limitations on resources or authority. USEPA will respond if the criteria for a response action in the NCP are met based on manpower availability. USEPA agrees to notify the State of the intent to conduct an emergency response action prior to initiating on-site activities. In cases of extreme emergency, the USEPA will make a reasonable attempt to contact IEPA and will proceed as required to mitigate threats to the environment, public health and welfare.
6. **Oversight Arrangements** - No formal arrangement has been used for this program. At this time, it does not seem necessary to change the working relationship.

C. Regulatory Innovation Program★

1. **Program Description** - Both the USEPA and the IEPA are undertaking special regulatory innovation projects and initiatives that are exploring ways of improving or are enhancing the environmental regulatory system. For FY 97, the following activities will be pursued:
 - Environmental management system agreements/XL projects
 - Common Sense Initiative
 - Small business assistance
 - Multimedia compliance management system

★Resource Investments

 - The IEPA is making two resource investments that relate to this program. The first one involves doubling the number of policy staff from 2 to 4 workyears. These policy analysts play an important role in most of the innovation work that is being done. For example, these staff helped develop the new environmental goals/indicators and the first Annual Environmental Conditions Report. These staff have also been participants in the development sessions for the two XL projects being pursued in Illinois. The second investment is described in paragraph 3d.

2. **Program Linkage to Goals/Indicators** - To the extent that environmental program improvements are eventually generated by all or some portion of these special initiatives, we would also expect some actual results to be reflected in the environmental indicators. At this point, however, we cannot reasonably predict the level of success that will be achieved. At the same time, it seems highly unlikely that none of these projects will bear environmental fruit. We remain optimistic, therefore, that some environmental progress will be generated over the next five years. This progress could be reflected in multiple indicators since the initiatives tend towards multimedia impacts.

3. **Performance Strategies** - The following action plan will be pursued for these special activities:

a. **EMS agreements/XL projects** - In 1996, legislation was passed in Illinois that creates a voluntary pilot program to pursue regulatory innovation projects. Under this new law, IEPA may enter into EMS agreements with cooperating companies or other regulated entities that want to pilot test specific regulatory innovations. In essence, this authority represents Illinois' process for handling things like federal XL projects. In this regard, we will continue to work on a project agreement for the 3M proposal and the joint IEPA/Safety-Kleen proposal. In addition, we expect to have several more companies start to develop agreements during FY 97.

•Core Perf. Measure - **EMS agreements/XL program** - Projects that are undertaken will be evaluated to determine if they are successful, partially successful, or not successful.

•Planned Output 1 - Number of regulatory innovation projects that are proposed and are implemented.

b. **Common Sense Initiative (CSI)** - The IEPA will continue to participate in the CSI that is sponsored by USEPA. Director Gade is a member of the CSI Council that is overseeing this major initiative. Senior staff of the IEPA are members of three sector subcommittees (autos, computers/electronics and metal finishing). These subcommittees and related workgroups meet every two months or so and often hold conference calls in between. At this time, we cannot predict the course these developmental efforts will take, but do expect some results to be generated during FY 97.

•Planned Output 2 - Participation in CSI Council and sector subcommittee.

c. **Small business assistance** - Assistance to small businesses will be focused through the Office of Small Business, but is an effort shared by all Bureaus within Illinois EPA. The numerous activities draw upon resources across the Agency and are aimed generally at improved environmental compliance through common sense methods. The key activities are as follows:

1. Clean Break Program - Because of the continued favorable experience, the program will again be expanded in the Fall of 1996, and this time will include all small businesses across the state. This would include an estimated 100,000 businesses regulated in some way by environmental rules. Refinements will be made in the Clean Break process to make it more efficient and allow the Agency to reach more interested small businesses. It is not envisioned, though, that the daunting task of visiting each business would ever be achieved. Other tools, such as workshops, plain language guides and a toll-free help line, will be used. And in the big picture, Clean Break is not a stand-alone program, but will be an integral part of Agency strategies to improve environmental compliance.

•Core Perf. Meas. - Clean Break - A success ratio will be determined using the following factors:

$$\text{Success Ratio} = \frac{\text{Number of Clients Reaching Agreement}}{\text{Total number of eligible clients}}$$

•Planned Output 3 - Number of Clean Break clients that receive some assistance.

2. A toll-free help line has been established to assist small businesses with their inquiries. This easy access to Illinois EPA will provide a non threatening way to obtain answers to environmental/regulatory questions and to enter into the Clean Break program. The Office of Small Business will manage the help line and expects to answer routine questions directly. Most technical or complex questions will be responded to with the help of media experts in the Bureaus.
3. Plain language guides will be prepared to help small businesses understand how they are regulated and what common sense steps they can take to be in compliance. The guidelines will be provided to help line callers where appropriate and can be used at outreach events.

•Planned Output 4 - Number of small business guides that are completed.

- d. Multimedia compliance management system - Illinois' environmental protection law was amended in 1996 to establish a new enforcement process. In response to this change, IEPA decided to design a new multimedia compliance management system. As part of this system, IEPA has established an Agencywide Compliance Management Panel that will review all significant violation cases and assign responsibility for case management. Pollution prevention and Small Business concerns will also be stressed as part of this new system. In some instances, where multimedia violations are involved, cases will be managed by a new group, Compliance Processing Services. Four workyears are being provided for a manager and 3 technical staff to help process cases.

As part of this new process, IEPA is looking into integration of certain compliance data. Several hundred facilities have also been selected as being suitable for multimedia attention.

•Planned Output 5 - Number of multimedia compliance cases that are managed by Central Processing Services.

D. Pollution Prevention Program

1. **Program Description** - The Illinois EPA seeks to promote pollution prevention as the dominant strategy for environmental protection through integrated, multi-media efforts, cooperative partnerships, voluntary incentives, technical assistance and community outreach. Our core pollution prevention activities involve:

- Incentive programs
- Technical assistance
- Information exchange
- Conferences and workshops
- Partnering with businesses groups and communities
- Regulatory and “beyond compliance” initiatives

The Office of Pollution Prevention has the primary responsibility for carrying out these activities.

★Resource Investments - The IEPA is making significant resource investment in this program for FY97. Funds will be provided for the following enhancements:

- Adding 6 staff to the OPP to deal with the Partners in Pollution Prevention Program, P2 training and technical assistance.
- Double the number of graduate interns (from 15 to 30) that are assigned to P2 works at participating companies.

We are taking a phased, multi-year approach to this P2 investment and will continue to build towards a stronger program.

2. **Program Linkage to Goals/Indicators** - The number of pollution prevention projects implemented by TRI and RCRA filers in Illinois has leveled off over the last few years. This trend may be due to a number of factors. The majority of pollution prevention projects initially implemented by companies probably involved the easier and more obvious opportunities, commonly known as the “low-hanging fruit.” Pollution prevention focus is now shifting to more comprehensive projects involving equipment and design changes. The emphasis on reducing environmental releases reported to the TRI also may have shifted resources from pollution prevention to more traditional forms of pollution control to meet corporate emission and waste reduction targets. Finally, some pollution prevention measures may not have been reported, such as inventory or process control improvements

which are considered to be routine operating changes.

Illinois EPA would like to see the amount of pollution prevention activity in the state significantly increase, though tracking progress by the number of pollution prevention projects implemented has its limitations because of variations in reporting methods, inconsistencies in the quality of data and difficulties in relating pollution prevention to reductions in environmental releases. In addition to using a quantitative indicator to measure performance, we plan to collect qualitative data to ascertain if certain management strategies, such as employee training, total cost accounting and materials flow analysis, are gaining acceptance in the state.

The following table shows the environmental goal and indicator for P2 and related core performance measure.

Goal*	Indicator*	Core Perf. Measure*
● Pollution prevented increases each of the next five years.	● Amounts of pollutants and wastes reduced at the source due to P2 projects being implemented.	● Percent of TRI/RCRA filers and other facilities that implement P2 projects and report results achieved.

*These measurement tools are developmental and will be worked on as a project for FY97.

3. **Performance Strategies**

- a. **Regulatory Integration** - In FY 96, the Illinois EPA initiated a program to educate media program and field staff about pollution prevention opportunities for selected industries. In addition, we began to incorporate pollution prevention into our compliance management and enforcement activities. In FY 97, Illinois EPA will conduct a special retraining of inspectors and other personnel in our Maywood field office. The emphasis will be on strategies to promote pollution prevention and compliance assistance during site visits. This training initiative will be expanded to the other field offices in conjunction with a special project to upgrade computer and communications technology in the field.

The Illinois EPA will develop a series of fact sheets, checklists and clearinghouse materials for selected industries to help our field inspectors more actively promote pollution prevention opportunities during their daily activities.

Special efforts also will be made to develop pollution prevention recommendations and materials for distribution to the following businesses:

- Clean Break participants:
- RCRA generators:
- livestock operations;
- small oil producers;
- agricultural chemical dealers.

The Illinois EPA will develop several tools to promote pollution prevention in the issuance of Title V air permits. We also plan to experiment with several multi-media inspection approaches in our Springfield, Collinsville and Maywood field offices.

•Planned Output 1 - Number of permits, inspections, violation notices, settlements incorporating pollution prevention.

- b. Voluntary Incentives - Illinois EPA will make several improvements in its Partners in Pollution Prevention program. We plan to add several new categories of participation for non-profit organizations, educational institutions, health care facilities and local governments. A special effort will be made to not only attract more industrial partners but also to improve the quality of activities and reporting to increase the overall effectiveness of the program.

•Planned Output 2 - Number of pollution prevention projects recommended and follow-up to Clean Break participants.

•Planned Output 3 - Number of pollution prevention projects implemented annually.

In FY 97, Illinois EPA plans to investigate the feasibility of creating a revolving loan program for small businesses to implement pollution prevention methods. We will work with other agencies and community development interests to identify several strategies for capitalizing such a program.

•Planned Output 4 - Number of firms participating in voluntary programs.

- c. Technical Assistance - In FY 97, Illinois EPA will expand its graduate intern program to provide technical assistance to planning agencies, economic development interests, educational institutions and community groups.

In conjunction with the Illinois Waste Management and Research Center, we will conduct a pilot project in at least two state agencies to assess and identify options for pollution prevention and materials reuse in buildings, facilities, services and procurement activities.

Illinois EPA will develop a training course for Certified Public Accountants and other financial advisors about the benefits of pollution prevention and how it can be incorporated into their advice to clients.

We also will co-sponsor at least two more regional workshops for chemistry teachers to promote waste reduction activities in laboratory experiments.

•Planned Output 5	- Number of pollution prevention graduate interns placed with companies and other hosts.
-------------------	--

- d. Partnerships - Through its involvement in the Greater Chicago Pollution Prevention Project, Illinois EPA will work with government agencies, economic development groups and environmentalists to test several approaches for providing compliance and pollution prevention assistance to small- and medium-size businesses in a Northwest industrial corridor of Chicago.

Illinois EPA will participate in an Illinois Fabricare Association project to develop a 3-star recognition program to promote compliance and pollution prevention in the dry cleaning industry. Our print shop will participate in the Great Printers Project and we will actively recruit other participants from the public and private sectors.

Illinois EPA will initiate a special community outreach effort to promote pollution prevention collaborations between industries and community groups.

•Planned Output 6	- Number of targeted pollution prevention activities.
-------------------	---

- e. Beyond Compliance Activities - Illinois EPA will work with several companies involved in XL and ISO 14000 projects to incorporate pollution prevention elements into their environmental management systems. We will continue to participate in the Common Sense Initiative automobile and metalplating sector groups to promote regulatory changes that create more incentives for pollution prevention.

4. **Program Resources** - The Agency plans to devote 17.5 work years in Fiscal Year 1997 to the Pollution Prevention program. Of this total, approximately 8 work years will be supported by Federal resources, and 9.5 work years will be supported by State resources. The distribution of work years is expected to be as follows:

	Federal Estimated Work Years	State Estimated Work Years
Pollution Prevention	8	9.5

5. **Federal Role** - Region 5 strongly supports Illinois EPA's efforts to instill the Pollution Prevention ethic in the media regulatory programs and to promote the use of pollution prevention within the business community and other entities. Region 5 will continue to provide information on innovative programs, resources and funding opportunities for

special projects. Region 5 will also continue to facilitate cooperation among stakeholders in the Greater Chicago Pollution Prevention Alliance. USEPA will work with the State to identify methods to track pollution prevention methods.

6. **Oversight Arrangements** - Illinois EPA will continue to report on its pollution prevention activities under the Pollution Prevention Incentives for States grant. It will also include the results of its analysis of the TRI and RCRA reporting as well as qualitative indicators of pollution prevention progress.

E. Environmental Education Program

1. **Program Description** - The Illinois EPA is strongly committed to proactively reaching out to the citizens of Illinois to raise awareness of our natural environment and environmental issues; promote environmental stewardship; and educate citizens about the role of the Illinois EPA. Although the Illinois EPA currently supports several environmental education outreach programs and activities that successfully promote environmental awareness, the Agency is currently pooling its resources to expand and improve these education efforts. The Agency's environmental education efforts fall into five basic categories:
 1. Student internships
 2. Public events (i.e., State Fair or Stewardship Day)
 3. Elementary school outreach programs (i.e., educational packet)
 4. Co-sponsored educational exhibits (i.e., Shedd Aquarium and Brookfield Zoo)
 5. Internet on-line educational programs.

The Agency is in the process of putting "Ecofun," an interactive environmental educational program, on the Illinois EPA website. The program will educate students about environmental issues and give students an opportunity to communicate directly with the Agency. The program is currently designed for a third-grade reading level. Future Internet programs include expanding the "Ecofun" to additional grade levels and developing adult information/access web sites.

2. **Program Linkage to Goals/Indicators** - Under the new environmental education strategy, Agency staff will track the number of people they interact with through the various education programs. By tracking the number of people who participate in Agency activities, the Illinois EPA will have better data about utility of the environmental education strategy. It could be presumed that as more people are reached through the Illinois EPA education programs, the proportion of environmental sensitivity and stewardship efforts increases in the community. However, we want to get more information about the actual impact of our education efforts and will undertake a project

to develop suitable indicators and measures. As a placeholder, we have developed proposals for these in the following table:

Goal*	Indicator*	Core Perf. Measure*
<ul style="list-style-type: none"> Environmental awareness, knowledge and skills are increased for more youth and citizens over the next 5 years. 	<ul style="list-style-type: none"> Survey information that is collected from participants in educational experiences. 	<ul style="list-style-type: none"> Percent of participants who indicate they are better informed.

*The measurements are developmental and will be pursued as a project for FY97.

3. **Performance Strategies**

a. The design for this Agency-wide education renovation is in the newly developed Environmental Education Strategy (Strategy). Environmental education programs will be divided into two focal areas: youth and citizen education. The strategy will be formally approved by September, 1996. Under this new strategy, the Agency's current resources will be more efficiently utilized, and the number of Illinois citizens reached will increase. Education goals include:

- Developing separate citizen and youth-based environmental education programs to promote environmental stewardship in Illinois;
- Identify, prioritize and develop an educational program that complements other Illinois state agencies involved in environmental education; and
- Establish the Illinois EPA as the principal provider of education on current environmental issues and environmental protection.

•Planned Output 1 - Annual number of persons who participate in environmental education.

•Planned Output 2 - "Ecofun" will be accessible on IEPA's website.

b. The IEPA will work on development of a suitable environmental indicator(s) and core performance measure(s) for this program. Different approaches will be tried out on a pilot basis in conjunction with educational events.

•Planned Output 3 - Selection of suitable environmental indicators and measures.

4. **Program Resources** - The Associate Director of the Illinois EPA currently dedicates a portion of his time to oversee the development of the Environmental Education Strategy. In addition to the Associate Director's time, the Strategy calls for: 1) an environmental education coordinator who is able to devote a portion of his/her time to coordinating the

new strategy, and 2) the creation of a formal inter-bureau environmental education committee.

5. **Federal Role for Education** - The Illinois EPA welcomes the continued active involvement of the USEPA, Region 5 in their educational efforts. The Illinois EPA and USEPA currently work together on educational conferences and share information on a variety of education topics.
6. **Oversight Arrangements** - There is no oversight anticipated.

MEDIA PROGRAMS

F. Clean Air Program

1. **Program Description** - The Clean Air program included in the Bureau of Air is structured in four major functional areas, as follows:
 - **Air Measurements** - This program includes operation of a comprehensive statewide network of ambient air monitoring stations, source emission testing, and the comprehensive vehicle inspection and maintenance program.
 - **Air Quality Assessment and Planning** - Encompassed within this category are the analyses, strategic reasoning, and environmental problem solving necessary to develop effective and innovative solutions to eliminating or controlling harmful air pollutants.
 - **Air Permits** - Included within this function are several components whose common purpose is to serve as one of the principle compliance assistance and compliance assurance mechanisms for the Clean Air program. This is accomplished through the issuance of permits describing the terms and conditions necessary to maintain and demonstrate continuous compliance with air pollution requirements. In FY96, the Bureau worked with USEPA to develop a Memorandum of Understanding to describe the partnership between the IEPA and USEPA concerning the operation of the permit program mandated by the Clean Air Act as amended in 1990.
 - **Compliance Assurance** - The compliance assurance activities within the Clean Air program serve to provide a clear and consistent means for emission sources to achieve and maintain compliance with air pollution laws within Illinois through the establishment of various mechanisms for supplying assistance to ensure compliance and, where warranted, a just and appropriate enforcement program. These activities include plant inspection, compliance assistance, and enforcement, among others. The primary vehicle for coordinating IEPA and USEPA enforcement initiatives and associated activities will be through the establishment of the Memorandum of Understanding in FY97.

After 25 years of development and implementation of the Clean Air program in Illinois, significant progress has been made such that the state is in compliance with all the existing National Ambient Air Quality Standards (NAAQS) for all criteria pollutants other than ozone. Consequently, the priority program areas for the Bureau of Air have continuously evolved to the following five program areas:

- Ozone
- Title V/Inspection/Compliance
- Data Management
- Public Outreach and Education
- Base Programs and National/Regional Priorities

These program areas reflect our need to comply with the standard for ozone and the key provisions of the Clean Air Act.

- Ozone - Two major metropolitan areas in Illinois continue to be out of compliance with the ozone standard. In the past five years, there has been significant program development in terms of regulations to reduce precursors. However, we continue a diversified assessment of the problem. In addition to obtaining the emission reductions, we are engaged in a comprehensive assessment of ozone in order to understand the complexities of ozone transport, formation, and control. The ozone program includes all activities relative to ozone, from monitoring to rulemaking to participation in national assessments of ozone.
- Title V/Inspection/Compliance - This element of the Clean Air program includes significant permitting activities pursuant to the Clean Air Act as well as inspection and compliance components to ensure compliance to meet our objective. Also included here are pollution prevention and small business programs.
- Data Management - The Bureau has been collecting significant source-based information through inspections, the permit program, and more recently actual operating information through the Annual Emission Reports. There is a need to manage and quality control this data to better utilize it in the development of future strategies and to provide a better measurement of the success of our ongoing strategies.
- Public Outreach and Education - Over the last 25 years, there has been significant progress made by industrial sources in reducing emissions. However, approximately 50% of the ozone pollution results from daily, non-industrial activities by the general public. There is a need to develop a strategy to begin to impact these other activities in order to reduce the pollution they cause. One way to do this is through a public education program.
- Base Programs and National/Regional Priorities - Although the four areas listed above are very focused priorities, the base programs must continue to provide to function so as to maintain the progress we have achieved thus far. Such base programs include air monitoring and state permitting, among others. At the same time, there are key national

and regional initiatives that should be included in our priorities, such as development and implementation of Maximum Achievable Control Technology (MACT) standards and the mercury initiative.

2. **Program Linkage to Goals/Indicators** - Several environmental indicators will be used to gauge the success of the air pollution control program. These indicators are comprised of a combination of air quality measurements and emission estimates. The planned outputs and activities of the air program contained in this agreement will contribute in a variety of ways to the improvements measured through the indicators. For example, the declining trend in air quality exceedances and the air quality conditions measured through the Pollutant Standards Index will provide a measure of the quality of the pollution control regulations and the effectiveness of the compliance assurance program. Emission trends will help to establish a direct relationship between the control program and the targeted pollutants. A summary of the Bureau's goals, environmental indicators, and performance measures is as follows:

Goal*	Indicator*	Core Perf. Measure*
1. A declining trend in exceedance days through 2005.	Trends for criteria pollutants shown in three-year averages.	Operate air monitoring network pursuant to federal guidelines and quality control specifications. Percentage of ozone SIPs timely submitted.
2. Greater than 95% "good" or "moderate" air quality conditions in 2005 in the major metropolitan areas (Chicago and St. Louis).	Pollution Standards Index	Operate air monitoring network pursuant to federal guidelines and quality control specifications Percentage of ozone SIPs timely submitted.
3. Total VOM emissions show a decreasing trend consistent with the ozone attainment strategy in the ozone nonattainment areas.	Annual emissions of VOM from mobile, area, and stationary sources.	Percentage of sources filing good emissions data. Percentage of vehicles tested that pass the inspection.

- | | | |
|---|--|--|
| 4. Achieve attainment with ozone air quality standard by 2007 in the Chicago area. | Ambient ozone levels in the nonattainment area. | Percentage of FY97-phase Title V permits successfully issued to nonattainment and transport area sources. |
| 5. Decreasing trend in total emissions of hazardous air pollutants through 2005. | Annual emissions of HAPs from stationary sources that file Form R's. | <p>Percentage of source categories for which delegation has been accepted (guidance implemented).</p> <p>Percentage of sources affected by air toxic requirements with operational controls in place.</p> <p>Percentage of affected sources for which compliance with the standards has been determined.</p> |
| 6. Aggregate SO ₂ emissions will be less than Clean Air Act requirement. | Annual SO ₂ emissions from participating sources. | Percentage of sources for which continuous emissions monitors are required that are operating them properly. |

3. Performance Strategies, Measures and Outputs - Key strategies, measures, and outputs for each of the priority program areas are provided below.

- a. Ozone - The Bureau of Air will complete and submit the Phase 1 SIP and commitment consistent with the July 2, 1996, letter from USEPA.
- Adopt the 1999 9% ROP rules.
 - Commit to additional measures required for attainment.

The Bureau of Air will continue participation in the Ozone Transport Assessment Group (ongoing). The Bureau of Air will participate in the Federal Advisory Committee Act (FACA) project for Ozone, PM, and Regional Haze that is developing implementation policies for a potential new standard (ongoing). The Bureau of Air will enhance the air monitoring network for ozone consistent with the USEPA-approved Lake Michigan PAMS Plan.

●Planned Output 1 - Phase 1 SIP submitted.

●Planned Output 2 - Contract for enhanced vehicle inspection and maintenance finalized and submitted by January, 1997.

b. Title V/Inspection/Compliance

- Permitting - The Bureau of Air will complete the Title V Implementation Agreement between USEPA and IEPA consistent with the Clean Air Act, issue Title V permits and FESOPs consistent with federal rules and guidance, and give high priority to Acid Rain Phase II and trading source permits. The Bureau will also issue construction, PSD, and New Source Review permits consistent with federal guidance.

•Planned Output 3 - Title V - Report number of Title V permits issued.

•Planned Output 4 - Report number of Phase II Title IV permits issued.

•Planned Output 5 - Construction, PSD, and New Source Review-
For new sources, major modifications, netting projects, and synthetic minors, provide details of State analysis (on request), and provide draft permit, notice, and project summary (on or before comment period opens).

- Inspections - The Bureau of Air will implement the inspection workplan proposed in FY96 (ongoing).

•Planned Output 6 - The workplan sent by December, 1996.

- Compliance - The Bureau of Air will develop and implement revised compliance procedures pursuant to state legislation, and complete the Enforcement Response Plan and Memorandum of Understanding begun in FY 96.

•Core Perf. Measure - The Bureau will work on development of a measure for significant noncompliance.

•Core Perf. Measure - The Bureau will develop the criteria for the air pollution component for determining annual compliance excellence program achievers as demonstrated by three or more years of sustained compliance,

•Core Perf. Measure - Average number of days to reach agreement on a compliance plan for resolution of violations.

•Core Perf. Measure - Success ratio for participants that receive compliance assistance (pilot basis).

- Core Perf. Measure

 - Information regarding the environmental benefit derived from cases involving Pollution Prevention or SEPS.

- Planned Output 7

 - Signed Enforcement Response Plan and memorandum of understanding submitted to USEPA.

- Planned Output 8

 - Compliance rates by industry sectors.

- Planned Output 9

 - Report on compliance assurance efforts, e.g., number of inspections, number of Annual Emission Reports received, and other compliance assurance activities, upon request.

- Planned Output 10

 - The number of civil and criminal enforcement actions initiated and concluded and the penalties collected.

- Planned Output 11

 - Compile, maintain, and update point source emission data for major sources in the USEPA AIRS data system.

- Planned Output 12

 - The number of noncompliance advisories issued.

- Planned Output 13

 - Each case where the audit privilege is asserted, the audit privilege is upheld, and the audit privilege resulted in the State being unable to prove one or more violations in a case will be identified.

- Pollution Prevention - The Bureau of Air will promote pollution prevention in the permit and inspection programs, and encourage and enhance communication of pollution prevention opportunities during inspections. The Bureau will also review potential emissions trading sources to provide assistance with regard to pollution prevention approaches to meet emission reduction targets in the permitting process.
 - Planned Output 14

 - A summary of the Bureau's efforts to encourage and enhance pollution prevention opportunities during inspection.

 - Planned Output 15

 - A summary of sources that could use pollution prevention techniques to meet emissions reductions targets.

- Small Business - The Bureau of Air will participate in the statewide amnesty program for small businesses, provide small business assistance through the compliance program, and focus on those small business affected by MACTs. The

Bureau also will provide assistance through fact sheets and outreach programs, and evaluate responses from dry cleaners to gauge the effectiveness of IEPA's outreach to that sector.

•Planned Output 16 - The Bureau's evaluation of the effectiveness of outreach efforts with the dry cleaners.

- c. Data Management - The Bureau of Air will continue development and implementation of the Integrated Comprehensive Environmental Information Management System (ICEMAN). The following components will be added in FY97:

- Stack test data and inventory;
- Fugitive dust plans;
- New Source Review;
- Air quality system;
- CEM database; and
- Inspection data and workplan reports.

The Bureau of Air will expand the local area network (LAN) to the Collinsville, Marion, and Rockford field offices. The Bureau will also develop with USEPA the program to effectively exchange permitting information between USEPA and IEPA.

•Planned Output 17 - Directly provide data to update the USEPA AIRS system.

- d. Public Outreach and Education - The Bureau of Air will continue the public education campaign as related to mobile sources (ongoing). For Partners for Clean Air, the Bureau of Air will continue to recruit additional partners, and assess a broader public education campaign targeted at the general public and school-aged audiences through multi-media efforts including: print media, such as brochures and fact sheets, and broadcast media.

•Core Perf. Measure - Percentage of Partners who take actions to reduce emissions on Ozone Action Days.

•Planned Output 18 - Identify and document efforts made by the partners and quantify the reductions resulting from those efforts.

- e. Base Programs and National/Regional Priorities -

- PM - The Bureau of Air will complete pending activities relative to the PM10 SIP, and participate in PM2.5 program development through the FACA for Ozone, PM, and Regional Haze.

- Planned Output 19

 - Provide information requested by USEPA to aid review of the SIP submittal.

- **Air Monitoring:** The Bureau of Air will operate the monitoring network (ambient air quality, photochemical, source emissions, and base program) pursuant to federal guidelines and quality control specifications.

- Core Perf. Measure

 - Percentage of data conforming to the federal guidelines and quality control specifications.

- Planned Output 20

 - Provide the 14 elements identified in the federal guidelines approved plans, and quality assurance program.

- Planned Output 21

 - Reports required by federal guidance.

- State Permitting: The Bureau of Air will investigate options to simplify permitting for state sources to minimize administrative burdens, including issuance of lifetime permits to non-Title V/non-FESOP sources and creation of simplified permits for sources with transportable emission units.

- Federal/State Priorities - The Bureau of Air will continue participation in the mercury initiative, and in the “Adopt a MACT” program. The Bureau will implement the NSPS for municipal waste combustors, develop a SIP reflecting the emission guidelines, and implement the NSPS for municipal waste landfills and develop a SIP reflecting the emission guidelines. If final federal promulgation of the NSPS for medical waste combustors is in FY 97, the Bureau will begin implementation of the NSPS and development of a SIP reflecting the emission guidelines. The Bureau will also evaluate the nature and purpose of each of the Outputs contained in this Agreement to determine the continued need and priority of each. By mid-FY97, in conjunction with USEPA, the Bureau will identify opportunities for streamlining reporting to USEPA.

- Planned Output 22

 - Submit a SIP for municipal waste combustors by Dec., 1996, or as otherwise arranged with Region 5.

- Planned Output 23

 - Submit a SIP for municipal waste landfills in May, 1997.

- Planned Output 24

 - Streamlining report.

- Air Toxics - The Bureau of Air will implement federal measures pursuant to the federal delegation. The Bureau will implement the Illinois Air Toxics Contaminant

Reporting rule upon adoption by the Illinois Pollution Control Board, and continue participation in the nationwide development and implementation of the MACT database.

- | |
|--------------------|
| •Planned Output 25 |
|--------------------|
- Status of state progress in implementing air toxic requirements: MACT standards, other section 112 provisions (in particular, section 112(g) provisions) and Section 129 guidelines and standards.

4. **Clean Air Program Resources**

Federal resources:	44 FTE
State resources:	50 FTE
Other state/non-federal resources:	<u>278</u> FTE
Total:	372 FTE

5. **Federal Oversight** - As part of the planned output for the air program, the IEPA will submit information to the USEPA's data system in addition to providing a variety of summary reports and analyses. The oversight arrangements listed here anticipate that USEPA will avail itself of such information as part of its oversight program. The remainder of this section discusses special arrangements, including on-site inspections for specific parts of the air program.

a. Ozone

- Vehicle Inspection and Testing:
 - On-site audits or inspections of routine program not recommended in FY97.

b. Title V/Inspections/Compliance

- FESOPs:
 - Federally enforceable permit programs (e.g., NSR, PSD, FESOP, Title V) will receive review sufficient to establish programmatic integrity.
 - Draft permits will be made electronically accessible to USEPA with paper copies and supporting documents provided upon request.
 - The oversight roles of the USEPA-Region 5 permitting and enforcement staffs need to be synchronized so that solutions worked out at the permit level between USEPA and the IEPA are not damaged or hindered at the enforcement level.

c. Base Programs and National/State Priorities

- State Permitting:
 - State permit program should receive no real time permit level review.
- Air Monitoring:
 - Review results of National Performance System Audit program.
 - Perform limited on-site audits or inspections on a case-by-case basis pursuant to joint agreement on the needs specific to the State program.
 - Source Emissions Monitoring: Participate in witnessing selected stack tests in conjunction with the State.

6. **Federal Role** - Region 5 Air and Radiation Division (ARD) commits to support the Bureau of Air in all efforts necessary to achieve the agencies' mission of Clean Air. Administratively, ARD will continue to provide IEPA timely information regarding available resources and competitive grants throughout the year and will work with the State to expeditiously apply for and receive appropriate awards. ARD will work with IEPA to seek innovative ways to address broad regional priorities, including community based environmental protection, pollution prevention, and compliance assistance. Geographic initiatives are in place in the Southeast Chicago and East St. Louis areas in Illinois, and efforts will continue to foster relationships with these local areas and address specific community concerns related to air pollution. In particular, ARD will be participating in the Chicago Cumulative Risk Initiative, the result of the TSCA Petition submitted to Headquarters regarding cumulative risk issues and incinerators. ARD will keep the State informed and promote appropriate State and local involvement.

Regional activities in the State's broad program components include the following that ARD will undertake:

a. Ozone

- Continue to provide technical assistance to the State in the development of regulations and resolution of potential deficiency areas prior to final adoption.
- Process SIP revisions in a timely manner.
- Coordinate outreach strategies for geographic initiatives with the State as appropriate.
- Conduct Quality Assurance (QA) system audits of the IEPA ambient air quality monitoring network and provide the service of QA performance audits when needed in coordination with IEPA.
- Continue to provide assistance and technical support for the Photochemical Assessment Monitoring Stations (PAMS) in coordination with IEPA.

b. Title V/Inspection/Compliance

- Permitting

- Provide technical assistance as requested by the State for issues such as applicability determinations.
- Review a broad range of draft permits and will provide feedback at the staff level on permit content, organization, and structure during program start-up and on draft permits of concern where there is reason to believe that public scrutiny will be high.
- Provide all information relative to changes in Title V regulations and guidance in a timely manner.
- Provide general training opportunities as appropriate.
- Work with the State regarding interim approval issues and the upcoming federal revisions to Title V.

- Small Business

- Promote regional communication and information exchange through quarterly conference calls and an annual conference.
- Address questions, complaints, and compliance efforts in the Stratospheric Ozone Protection programs throughout the State.
- Work with the State to develop a mechanism to assess how well small business MACT outreach is furthering compliance goals.

- Compliance Assistance and Enforcement

- Establish with the IEPA a dynamic Enforcement Response Plan agreement which will articulate the complementary activities to be carried out in Illinois each fiscal year, including the following elements:
 1. Refinement of the programmatic descriptions;
 2. A commitment to direct individual resources to those air quality and program issues which are agreed to pose the greatest risk/concern;
 3. Flexibility to address the unique concerns, interests, and strengths of each agency.
- Joint development of a complete and accurate source inventory.
- Joint development of a strategy to ensure that all regulated sources have appropriate means in place to provide assurance to both agencies that continuous compliance is being achieved.
- Joint identification and implementation of compliance assurance components to ensure that the federal/state compliance and enforcement programs systematically prevent violations while expeditiously and effectively identifying those violations which do occur.

- Verification of compliance entailing comprehensive methodologies to ensure that all violations will be identified utilizing an optimal mix of testing, inspections, and record review.
- Articulation of State and Federal activity for the coming year.
- Refinement and implementation of mechanisms for exchange of information in advance of actions (such as requests for information).

c. Public Outreach and Education

- Continue to support the Ozone Action Days and Partners for Clean Air programs through mailings of materials and other outreach activities.
- Pursue opportunities for public education and outreach using its Ozone Action Days asthma brochures, particularly focusing on our geographic initiative minority communities, finding ways to effectively provide this information to parents of children that may be especially vulnerable.
- Analyze the need for specialized outreach and education on the new particulate matter standards once they are proposed.
- Expand and enhance ARD's Homepage to provide both general and State-specific information on environmental problems and conditions in a manner that is readily understandable.

G. Waste Management Program

1. **Program Description** - The waste management program addressed under this Environmental Performance Agreement (EnPA) includes RCRA Subtitles C and D, the Underground Injection Control (UIC) program, and the Used Tire (UT) Program. The primary federal component under this EnPA is the RCRA Subtitle C program due to the large amount of funding and national accountability issues involved. The Subtitle D, UIC, and UT programs receive minimal funding from USEPA. However, those programs have been included in this EnPA as a means of presenting a more complete picture of Illinois' waste management program.

- **RCRA Subtitle C** - The IEPA's RCRA Subtitle C program, authorized by USEPA in January 1986, has striven to attain and maintain a high standard of quality and responsiveness to the public in Illinois over the last ten years. The IEPA has been very aggressive in obtaining authorization for all available program components/elements while maintaining an excellent quality RCRA program that has continuously adjusted to an increasing work load and decreasing funding resource. IEPA's authorized RCRA Subtitle C program operates under a RCRA Memorandum of Agreement (MOA) between USEPA (Region 5) and IEPA. This program is supported by both state and federal resources (75% federal/25% state funding).

Activities in the RCRA Subtitle C program include regulatory development, authorization, compliance assistance, compliance monitoring, enforcement, permitting/corrective action,

recordkeeping/reporting, and geographic and industry-specific initiatives. IEPA's program evaluations over the life of the authorized program have indicated a continuous effort to maintain a quality program and a sound cooperative working relationship with USEPA (Region 5).

During FY 97, IEPA will strive to use the available funding resources in innovative ways in order to reach more of the regulated community in a cooperative manner. Previously performed program activities may be restructured in order to implement more appropriate and efficient program elements that should provide more meaningful environmental results and program performance measures.

- RCRA Subtitle D - The IEPA's RCRA Subtitle D program received full approval from USEPA in December 1993. This program is fully supported by State funding. By demonstrating and maintaining equivalency to the federal requirements, Illinois' program provides maximum protection of human health and the environment and maximum flexibility in design requirements to allow for an efficient and effective environmental control of non-hazardous waste.
- UIC - The national UIC program operates under the Safe Drinking Water Act (SDWA). The IEPA's UIC program, approved by USEPA in April 1995 after several years under USEPA primacy, has striven to attain and maintain a high standard of quality and responsiveness to the public in Illinois. Since obtaining primacy for the program, the IEPA has been aggressive in addressing compliance and permitting concerns at Class I hazardous waste facilities. In addition, the IEPA has implemented a comprehensive Class V program through the hiring of a Class V coordinator. This program is supported by both state and federal resources (75% federal/25% state funding).
- Used Tire Program - The IEPA program to manage used and waste tires involves primarily two distinct activities: regulatory and cleanup. On the regulatory side, efforts include enforcement of laws and regulations which govern the generators, transporters, storage sites, tire processing/recycling facilities and open dumps. Over 3000 facilities in Illinois have been identified in the above mentioned categories. The IEPA's tire cleanup program has been operational since 1990. Over the life of the program, over 800 cleanups have been conducted and 5 million tires removed and recycled into tire derived fuel which has been consumed at a variety of power plants. IEPA's tire program is supported solely by state funds.

This year the IEPA and USEPA Region 5 are beginning phase one of an East St. Louis/Gateway tire cleanup initiative. USEPA is providing a solid waste management assistance grant and public affairs assistance. During phase one, an amnesty collection will be conducted wherein the public can deliver tires from their property to a central collection point. The tires will be recycled into tire derived fuel by Illinois Department of Corrections inmates. Phase two plans include a second grant and a cleanup of several abandoned properties in the area.

2. Program Linkage to Goals/Indicators

RCRA Subtitle C Linkage to Goals/Indicators

The IEPA , in conjunction with Region 5, has developed environmental goals (EG) applicable to land quality in Illinois. These environmental goals represent environmental targets that are beyond the near-term (typically, more than 5 years). They may be quantitative targets or long-range qualitative targets that have other intermediate milestones, such as objectives. Environmental indicators (EI) have been established as a means to measure progress at suitable time intervals towards achievement of goals or even objectives if such near-term targets are set. Core performance measures (CPM) have also been developed as a means to identify and report on program performance outcomes that are critical for the sound operation of national environmental programs.

Goal	Indicator	Core Perf. Measure
1. More sites monitoring shallow groundwater units will show improve- ment than will show degradation by 2005.	● Contaminant concentrations in groundwater at regulated facilities.	● Percent of groundwater monitoring reports received quarterly.
2. Decreasing trend in significant releases to shallow groundwater at regulated non-LUST facilities over the next five years.	● Contaminant concentrations in groundwater at regulated facilities.	● Percent of regulated facilities that have one or more significant releases in a year.

The IEPA is developing a "network" system designed to monitor shallow groundwater conditions as an indicator of long-term performance effectiveness. During the next one to two years, IEPA will develop this approach starting with pilot efforts showing groundwater improvements at specific regulated facilities due to required corrective action activities. This effort will be broadened as experience is gained. The goal is to eventually have a system that looks at two things: 1) concentrations of contaminants in shallow groundwater that are not influenced by regulated units; and 2) effects on contaminant concentrations from corrective action activities at regulated units. In addition, the success of IEPA's RCRA corrective action and closure programs should result in an increased number of remediated sites and acres of land where health risk is reduced or found to be insignificant.

Goal	Indicator	Core Perf. Measure
3. Decreasing trend in disposal of solid waste generated in-state over the next five years.	<ul style="list-style-type: none"> ● Annual amounts of solid wastes that are properly disposed. 	<ul style="list-style-type: none"> ● Percent of counties submitting recycling surveys. ● Percentage of solid waste disposal facilities submitting annual disposal data.
4. Amount of disposed solid waste generated out of state will peak and then decline over the next five years.	<ul style="list-style-type: none"> ● Annual amounts of solid wastes that are properly disposed. 	<ul style="list-style-type: none"> ● Percentage of solid waste received from States with mandatory recycling programs that send solid waste to Illinois.
5. Hazardous waste will continue to decrease over the next five years.	<ul style="list-style-type: none"> ● Annual amounts of hazardous wastes that are properly disposed. 	<ul style="list-style-type: none"> ● Percentage of annual hazardous waste reports timely submitted.

The IEPA will focus on pollution prevention (P2) in all aspects of its RCRA program, as it has for the past several years. We anticipate that by measuring the number of P2 projects implemented by RCRA filers each year, we can demonstrate the amount of pollutants and wastes reduced at the source. In addition, a decreasing trend in the disposal of hazardous waste generated in-state and out-of-state should be shown over the next five years.

Goal	Indicator	Core Perf. Measure
6. Reported open dumping incidents and volumes of wastes will increase over the next five years, then level off for several years before eventually starting to decrease.	<ul style="list-style-type: none"> ● Annual reports of open dumping incidents. 	<ul style="list-style-type: none"> ● Percentage of sites at which open dumping recurs.

UIC Linkage to Goals/Indicators

There are several environmental goals/indicators that apply to the IEPA's UIC program. The Agency's Class V program, both the outreach and investigation portions, should result in enhanced awareness of problems associated with targeted Class V wells, encourage voluntary compliance, stimulate public participation and increase inventory. In addition, effective compliance monitoring, enforcement and permitting programs for Class I wells should reduce the potential risks of contamination to underground sources of drinking water. The IEPA's UIC program will encourage pollution prevention and waste minimization in relation to all classes of wells.

3. **Performance Strategies** - The following items represent the program activities that IEPA will conduct in the waste management program during FY'97. These activities include RCRA core and non-core activities. In addition to the traditional program elements addressed in items a) through k), the Bureau of Land (BOL) has identified several strategic and innovative areas of work where we will focus some resources in order to gain significant environmental results. Those are represented in items l) through q) and may contain core and non-core activities. The IEPA will report on all performance strategies, core performance measures, and planned outputs as part of the State's self-assessment and Performance Report for PPG.

RCRA Subtitle C Performance Strategies

- a. The IEPA anticipates obtaining authorization for Authorization Revision Application (ARA) 7, including the Universal Waste Rule (UWR), in FY'97. We will then develop a general rulemaking petition to be presented to the Illinois Pollution Control Board (IPCB) to add spent fluorescent and high-intensity discharge (HID) lamps to the UWR. IEPA will also develop and execute an implementation strategy for the UWR in Illinois. This will involve the development of notification forms, identification of recycling capacities for the wastes covered, and public outreach activities.

•Core Perf. Measure - ARA submittal/approval rate (should follow RCRA Cluster schedule)

•Planned Output 1 - A rulemaking petition for the addition of fluorescent and HID lamps will be developed and presented to the Board.

•Planned Output 2 - Implementation of the UWR.

- b. The BOL will conduct a compliance monitoring program for appropriate treatment, storage, and disposal facilities in Illinois. Compliance Monitoring activities may include inspections, issuance of compliance/non-compliance notifications, and initiation of enforcement actions. Inspections will be conducted at inspectable TSDFs

that are actively managing hazardous waste as mandated under Section 3007 of the Solid Waste Disposal Act. As of October 1, 1996, the number of inspectable TSDFs in Illinois is 100. The number of inspectable TSDFs that are due for inspection in FY 97 is 84. Throughout FY 97, this number will fluctuate due to changes in facility conditions. BOL agrees to inspect all facilities that remain inspectable at the time of scheduling of the inspection. BOL also agrees to maintaining, and providing to Region 5 upon request, written justifications for designating TSDFs non-inspectable.

These inspections may include Compliance Evaluation Inspections (CEIs), Compliance Schedule Evaluations (CSE), Comprehensive Groundwater Monitoring Evaluations (CME), Operation and Maintenance Inspections (O&M), Closure Verification Inspection (CVI), and Financial Record Reviews (FRR). The appropriate compliance/enforcement follow-up activities will be conducted in accordance with the Enforcement Response Policy (ERP) and IEPA's Compliance Monitoring and Enforcement Strategy (CMES).

•Core Perf. Measure - SNC rate within compliance monitoring program.

•Core Perf. Measure - Average number of days to reach agreement on a compliance plan for resolution of violations.

•Core Perf. Measure - Percent of SNCs that have new or recurrent significant violations within two years of receiving a formal enforcement action.

•Core Perf. Measure - Description of environmental benefits that are achieved due to resolution of enforcement cases that involve P2, SEPs, etc., when information is readily available.

•Core Perf. Measure - Annual compliance excellence achievers as demonstrated by three or more years of sustained compliance.

•Planned Output 3 - Number of inspections at inspectable TSDFs

•Planned Output 4 - Number of enforcement actions taken and penalties collected annually.

•Planned Output 5 - Number of noncompliance advisories issued each year.

•Planned Output 6 - Identification of each case where the following circumstances exist: 1) the audit privilege is asserted; 2) the audit privilege is

upheld; and 3) the audit privilege resulted in the State being unable to prove one or more violations in a case.

- c. The Bureau of Land's (BOL) Field Operations Section (FOS) will continue a proactive compliance assistance program with small businesses, with emphasis on environmentally significant waste handling practices, pollution prevention, and waste minimization. This activity will primarily be educational in nature and concentrate on assistance, not enforcement. This outreach will focus on small businesses that have already notified the USEPA of their hazardous waste generation activities, and on those large and small quantity generators that have never been inspected by IEPA. Information about the ISO 14000 program will be introduced to selected generators. This compliance assistance program, in conjunction with the Clean Break program that offers multimedia amnesty to small businesses, will enable the IEPA to reach a large number of facilities that would probably never be inspected under the traditional compliance monitoring program.

BOL anticipates that approximately 2000 compliance assistance-related activities may be conducted in FY'97. This number is strictly a projection (not a commitment) that may be unilaterally modified by IEPA as circumstances dictate. The increased number of visits to sites never inspected previously should increase the compliance rates within the regulated universe. Percent compliance should increase from first visit to final follow-up. All compliance assistance activities will be reported into RCRIS for the calculation of compliance rates. In addition, Compliance Evaluation Inspections (CEIs) will be conducted at those facilities where compliance assistance would not be appropriate. CEIs will also be conducted, when appropriate, during the investigation of citizen complaints.

•Core Perf. Measure	- Success ratio for participants that receive compliance assistance.
---------------------	--

•Planned Output 7	- Number of compliance assistance-related visits and information entered into RCRIS.
-------------------	--

•Planned Output 8	- Compliance rates by industry sector.
-------------------	--

- d. The BOL Field Operations Section (FOS) will continue its participation in the Clean Break amnesty program that allows small businesses to obtain amnesty for violations discovered during assistance visits at facilities that enter the program. The assistance provided is multi-media in nature; therefore, each Bureau will normally be present during the visits. An evaluation of the success of the program will also be conducted as part of the IEPA Clean Break Project Final Report.

•Planned Output 9	- Number of Clean Break activities conducted.
-------------------	---

•Planned Output 10 - Number of compliance agreements established

- e. The BOL/FOS will continue its aggressive pursuit of environmental crimes involving hazardous and nonhazardous waste. Criminal investigators in each Regional BOL/FOS office will continue their investigations of criminal activity, in cooperation with the Illinois State Police, Illinois Attorney General's Office, local State's Attorneys, U.S. Attorneys, and USEPA. A high profile of these types of investigations and prosecutions should discourage illegal activity.

In FY 97 the awareness and reporting of environmental crimes will be increased through a series of Environmental Crimes Awareness seminars in late FY 96 that BOL/FOS, in cooperation with the IAGO, Illinois State Police, USEPA, and the Midwest Environmental Enforcement Association, will be conducting. These seminars will make the local police departments, sheriffs' offices, and State's Attorney Offices across the State that were invited to the seminar more aware of environmental crimes in their local areas and will establish a network of information collection and sharing among State, local and federal law enforcement authorities.

•Planned Output 11 - Number of criminal investigations initiated and closed.

•Planned Output 12 - Number of referrals to IEPA's Criminal Enforcement Decision Group (CEDG) and to prosecutorial authorities.

- f. The IEPA's RCRA permit/closure program will focus on core program activities to meet established long-term goals. Core permitting activities during FY 97 may include issuing Part B permits, draft Part B permits, final post-closure permits, draft post-closure permits, and Part B and post-closure permit modifications. The core activity numbers should represent a steady increase in the total percentage of facilities permitted with the goal of all facilities permitted by 2005 (excluding renewals). In addition, an evaluation and review of selected permitted treatment/storage facilities will occur (including a site visit and meeting with facility staff). All commercial facilities should have final permits issued by 2000. High-priority facilities will be emphasized.

By the year 2000, closure should be completed at 140 facilities in the present universe. By the year 2005, closure should be completed at all facilities currently in the closure universe and at all sites which had a closure plan approved prior to December 1, 2001. During FY 97 closure activities may include reviewing and approving closure plans, reviewing and approving closure plan modification requests, and reviewing and approving closure certifications. The total high-priority closure universe will be emphasized and demonstrated risk reduction should be higher for this category due to the level of contamination remediated.

The IEPA will maintain its expanded public participation program as an integral component of the RCRA permitting/closure program. The expanded public participation program includes two new focuses: 1) training for companies on how to conduct public involvement, and 2) increased emphasis on resolving environmental problems related to the RCRA permit. IEPA is conducting specialized workshops on public involvement to provide companies with both training and guidance to conduct public involvement activities that, consequently, should help reduce community concerns about the permit application.

•Core Perf. Measure - Percentage of facilities in the commercial and high-priority universes with final permits issued.

•Core Perf. Measure - Percentage of facilities in the closure and high-priority closure universes that have completed closure.

•Planned Output 13 - Number of draft and final permits and permit modifications issued to facilities in the permitting universe (including commercial and high-priority).

•Planned Output 14 - Number of closure plans, closure plan modification requests, and closure certifications reviewed and approved for facilities in the closure and high-priority closure universes.

- g. The BOL's RCRA corrective action permitting program will focus on core program activities to meet established long-term goals. By the year 2000, corrective measures should be implemented at a minimum of 15 facilities. Numbers should steadily increase to 30 facilities by 2005. Core corrective action permitting activities for FY97 may include RFA completions, RFI Phase I or Phase II report or workplan approvals, and corrective measures report or workplan approvals.

•Core Perf. Measure - Percentage of facilities in the corrective action universe with corrective measures implemented.

•Planned Output 15 - Number of RFA completions, RFI Phase I and Phase II report or workplan approvals, and corrective measures report or workplan approvals.

- h. IEPA will assume primary responsibilities for three facilities in Illinois that have a 3008(h) order issued against them. Activities may include technical review of remediation plans, field oversight of remediation activities, compliance monitoring, and issuance of permit decisions.

- i. Region 5 and IEPA will undertake a joint evaluation of the specific RCRA data needs in order to ensure that only appropriate and useful RCRIS data is maintained by IEPA and USEPA. This joint effort between Region 5 and IEPA in addressing RCRIS data needs will involve personnel from all appropriate program components from each agency. During this process, IEPA will maintain the status quo in RCRIS data reporting and management. The results of the joint evaluation of RCRIS will be used as a guide in reviewing the RCRIS MOU and as input to the national WIN and INFORMED projects. The IEPA will continue to monitor and participate in (as appropriate) the ASTSWMO INFORMED project designed to identify state-specific waste management data needs. In addition, IEPA will assist in the coordination (as appropriate) of the INFORMED and the USEPA Waste Information Needs (WIN) initiatives.

The IEPA's RCRA program will also examine RCRIS data in the Permit Module in order to accomplish final data clean-up and consistent universe identification (i.e., high-priority universe, corrective action universe, and treatment, storage, and disposal universes).

- j. With assistance from Region 5, a groundwater data base will be established for RCRA units conducting groundwater monitoring as a condition of their Part B permit requirements. This data system will be maintained to evaluate overall program success of prevention and mitigation of groundwater contamination and improvement in groundwater quality at RCRA-permitted (Part B) facilities.

•Planned Output 16

 - Update and evaluate the current data base to include all Part B regulated units that include groundwater monitoring programs.

- k. The BOL has integrated pollution prevention/waste minimization awareness into all of our RCRA program elements. We will continue this effort in the RCRA program and on a multi-media basis (through the Office of Pollution Prevention). The BOL hopes that by examining and interpreting annual report data, we can demonstrate the effectiveness and trend of P2/WM in Illinois.

•Core Perf. Measure

 - Percentage of facilities reporting waste minimization activities.

- l. The IEPA will conduct compliance monitoring/assistance, enforcement, and permitting activities in geographic and environmental justice areas of concern as part of the Great Lakes, Gateway, Upper Mississippi, and Greater Chicago Initiatives.
- m. As part of the Great Lakes Initiative (GLI), the IEPA will continue development of a comprehensive Geographical Information System (GIS) database of regulated facilities that will help identify actual and potential pollutant load sources impacting the Great Lakes Basin. Updating and integrating IEPA data into a GIS will allow more efficient and expanded analyses (via ArcView) of RCRIS and demographic data in making

permit and closure decisions. A GIS will also provide a more complete environmental inventory for identifying areas that collectively have the potential for disproportionately greater environmental impacts.

The IEPA will conduct compliance monitoring activities in the Great Lakes Basin at inspectable TSDFs that are actively managing hazardous waste as mandated under the Solid Waste Disposal Act. Compliance assistance activities will be conducted under the statewide RCRA compliance assistance program and the Clean Break/Amnesty program. In addition, BOL/FOS will place emphasis on criminal investigations in the Great Lakes Basin as they arise.

- n. The IEPA will conduct activities under the Combustion Initiative. This may involve permit modification, field inspections (including trial burns), enforcement activities, and pollution prevention measures. The repeal of the Retail Rate Law should result in a significant decrease in the number of combustion permit applications in the State of Illinois.
- o. The IEPA will work with Region 5 to obtain agreement/concurrence for the Tiered Approach to Clean-Up Objectives (TACO). This effort and subsequent discussions of the various State clean-up programs should result in the successful negotiation and signing of a RCRA Memorandum of Understanding (MOU) for the Agency's remediation process.
- p. The IEPA will work with appropriate companies to successfully develop and negotiate an XL agreement.
- q. The BOL will promote recycling and reuse by advising the regulated community of the regulatory requirements or exemptions associated with their proposed method of recycling/reuse. The BOL strives to interpret requirements to encourage waste management practices to move up the waste hierarchy.
- r. IEPA has maintained a quality assurance program plan (QAPP) for the hazardous waste program on an on-going basis.

•Planned Output 17

 - Submittal of current QAPP that satisfies requirements for Hazardous waste program within 90 days of execution of this agreement.

RCRA Subtitle D Performance Strategies

- a. The BOL/FOS will continue its program of inspecting Subtitle D and pre-Subtitle D landfills through its own and delegated agency inspectors. Facilities disposing solid waste and nonhazardous special wastes illegally will be cleaned up through long

established monitoring, compliance, and enforcement activities. These illegally disposed wastes will be directed toward Subtitle D facilities and legitimate recyclers.

- b. IEPA will pursue several refinements to the regulatory provisions for non-hazardous special wastes. The Agency will work with the legislature and regulated community to eliminate the regulatory provisions for non-liquid, non-hazardous special wastes.

UIC Performance Strategies

- a. The BOL will continue to focus available resources on the Class I hazardous UIC wells for core compliance monitoring and permitting activities. This should ensure that all Class I UIC wells are actively permitted and in compliance with applicable rules and regulations. All expired Class I hazardous injection well permits should be renewed by 2000. This should ensure the proper disposal of injected fluids. In addition, the BOL has and will continue to respond timely to Class I permit modification requests.

•Core Perf. Measure - Compliance rates and Significant Non-Complier (SNC) rates of Class I wells.

•Planned Output 18 - Number of inspections and Mechanical Integrity Tests (MITs) conducted at Class I facilities.

•Planned Output 19 - Number of permit modifications and renewals at Class I facilities.

- b. The IEPA will focus on pollution prevention and waste minimization in the UIC program. This may be accomplished through outreach efforts, field activities, permitting and enforcement actions (e.g., SEPs).
- c. The IEPA will strive to maintain an accurate inventory of Class V wells. In addition, these wells will be prioritized to the extent possible in order to ensure that the wells with the highest potential risk are addressed. The BOL will strive to eliminate or regulate potentially harmful Class V wells. In addition, our priority will be to enhance awareness of problems associated with targeted Class V wells, encourage voluntary compliance, stimulate public participation, and increase inventory.

•Planned Output 20 - Number of potentially significant Class V wells investigated.

•Planned Output 21 - Maintenance and prioritization of Class V inventory.

Used Tire Program Performance Strategies

- a. IEPA has amended laws and regulations to lessen the regulatory burden on the tire industry. By steadily increasing markets for used tires, the economics for the proper management and recycling of the 12 million used tires generated in Illinois each year is improving.
- b. Inspections of regulated facilities will continue. Our objective is to verify that tire generators are working with licenced transporters who in turn are delivering tires to approved processors and end users of tires. Verifying that the one dollar user fee is being collected and remitted remains a priority.

•Planned Output 22 - Number and category of facilities inspected.

- c. Identification of tire dumps and the scheduling of their cleanup so as to not significantly impact our recycle capacity is a major focus of the program. We do not want to consume more than our share of the recycle capacity lest we effect both the capacity and economics for the day-to-day used tire generators.

•Planned Output 23 - Number of tire cleanups conducted and volume of tires recycled.

4. **Program Resources** - Resources for the IEPA's Waste Management Program are identified in the table below. The amount of work years supported by both federal and state funding are identified by program. The resource levels are projections as funding levels may change prior to the beginning of FY 97.

PROGRAM	Federal Work Years	State Work Years	Total Work Years
Hazardous Waste Program	54.5	40.5	94.5
Solid Waste Program*	0.0	96.0	96.0
TOTALS:	54.5	136.5	190.5

* The solid waste management assistance grant provided by USEPA to the IEPA's used tire program will be used for contractual purposes in the Gateway area only.

5. **Federal Role for RCRA**

RCRA Subtitle C Federal Role

- a. The Region will assist IEPA with an expedited review and approval of ARA 7. ARA 7 Contains the Universal Waste Rule (UWR) which the IEPA wants to implement as

soon as possible. The Region will also work with IEPA and the other Region 5 states to explore ways to expedite and improve the authorization process.

- b. The Region will assist IEPA in identifying the various RCRA facility universes. These universes include: high-priority under the National Corrective Action Prioritization System (NCAPS) and/or overall, corrective action, land disposal, and treatment/storage. In addition, the Region will work with IEPA in re-evaluating select facilities as requested by either party.
- c. The Region will work with IEPA to develop an agreement for addressing the renewal of the corrective action portion of expired RCRA permits. The corrective action portion of all RCRA permits issued prior to 1990 were addressed by Region 5. However, the future workload will be shared by Region 5 and IEPA under the agreement.
- d. Region 5 will conduct compliance assistance activities at small, medium, and large businesses in Illinois. These compliance assistance activities will be coordinated with IEPA and the IEPA will be given the opportunity to participate in the activities. The compliance assistance activities conducted by the Region will include:
 - Compliance seminars for the petroleum industry through the American Petroleum Institute (API); and
 - Incentives for self-policing at medium-sized businesses in the iron and steel industry (mini-mills); and
 - Compliance assistance visits at dry cleaners (small businesses) in the greater Chicago area.
- e. Region 5 may conduct compliance monitoring activities at inspectable TSDFs that IEPA does not inspect per mutual agreement.
- f. Region 5 will provide RCRIS support as needed by IEPA. In addition, Region 5 will continue to maintain the Handler Identification module of RCRIS.

UIC Federal Role

- Region 5 will provide technical assistance to the State in dealing with Class I issues and facilitate an exchange of Class I data and overall concerns through national, intrastate, and Regional forums. The same type of assistance will be provided for the Class V program.
- Region 5 will provide technical assistance as needed in the renewal of permits of Class I UIC wells.

- Region 5 will assist the State in developing a Class V program that will meet the specific needs of the various communities within Illinois. Such assistance includes but is not limited to developing outreach materials, closure guidelines, guidance for conducting site assessments, and outreach and planning strategies. Class V guidance is currently being developed nationally and will require much coordination on the part of States and the Region for consistency and cooperation on pertinent issues concerning the Region and each individual State agency.
- Region 5 will facilitate networking and mentoring with other DI and Primacy Class V agencies. USEPA will assist the IEPA in the follow-up of wells identified through Peoria/Tazewell project.

6. Oversight Arrangement

RCRA Subtitle C Partnership Arrangement

This EnPA was developed under the National Environmental Performance Partnership System (NEPPS) guidance. The oversight arrangements and IEPA/Region 5 relationship will follow the provisions under the NEPPS. Due to the historically exemplary performance of IEPA's RCRA program, the Agency does not believe that traditional oversight provisions are necessary or prudent. Considering the Agency's past performance and the cooperative working relationship with Region 5, the Agency will assume a more independent self-management role in RCRA implementation and look to Region 5 for support and assistance in more specialized areas.

IEPA will conduct its own file audits and program self-assessments in order to demonstrate the program's successes and areas of concern. Region 5 and IEPA will:

- meet once a year at mid-year (on or about June 30, 1997) as requested by either party;
- conduct an annual end-of-year program conference call (on or about December 3, 1997) as requested by either party;
- conduct quarterly program component conference calls (i.e., permit/corrective action, enforcement, and RCRIS);
- conduct joint inspections (targeting primarily facilities that have waste management units that operate under rules/regulations for which IEPA has not yet been authorized); and
- in place of the traditional file audits, IEPA will investigate and respond to inquiries from Region 5 concerning facilities that do not appear to have been timely and/or appropriately addressed under the IEPA's enforcement program.

These quarterly conference calls and semi-annual meetings/conference calls will allow IEPA and Region 5 to identify areas of success and concern in the RCRA program and exchange policy and guidance information. The IEPA feels strongly that the provisions

identified above will provide for a more efficient and effective program implementation in Illinois.

UIC Partnership Arrangement

The IEPA/Region 5 oversight process for the UIC program has remained mostly unchanged for the past several years. The IEPA will conduct its own file audits and program self-assessments in order to demonstrate the program's successes and areas of concern. A meeting will be held at mid-year and a conference call will be held at end-of-year to discuss program accomplishments.

H. Site Remediation Program

1. Program Description

Superfund/Brownfields Program Description - The IEPA site remediation program covers a state cleanup program, addressing sites of non-federal interest, and a federal cleanup program, addressing site assessment activities, NPL sites and DOD sites. The state portion of the program is further divided into the voluntary Site Remediation Program and the non-voluntary State response action program. The Site Remediation Program is a key adjunct to our Brownfields efforts. IEPA has operated a successful voluntary cleanup program for years. In March, 1995, IEPA and Region 5 amended the Superfund MOA to include an addendum providing that sites which have received IEPA cleanup approval under the voluntary cleanup program are sites where no Federal activity is anticipated. This Brownfields agreement was the first of its kind in the nation. The State response action program operates in much the same fashion as the Federal Superfund program except that the State operates with much less money and focuses on contaminated sites which will not qualify for CERCLA dollars. USEPA is responsible for the Federal Removal and Remediation Superfund Program, which at this time, is unable to be delegated or authorized to the States. We use various documents, such as SMOAs, Reduced Role agreements, and Guiding Principles, to further clarify and delineate the roles of the State and the Region in implementation of this program. Currently, the Superfund program is supported by a series of site specific cooperative assistance grants and a Core Grant which serves as the only "program grant" for the Superfund Program. The system is very cumbersome administratively and the core grant is too constrained in its state support uses as well as having limited funds. IEPA and Region V have agreed on a block grant proposal which would consolidate thirteen sites currently covered under six separate cooperative agreements as well as the site assessment CA and the Core Grant into one funding vehicle and give IEPA the flexibility to move funds from project to project based on need without prior USEPA approval. When approved by USEPA, the block grant will aid substantially in reducing administrative costs and enhancing IEPA's role in the Superfund Program.

The conventional cleanup of federal Superfund sites, or National Priority List (NPL) sites, starts with various types of site inspections and development of Hazardous Ranking System

(HRS) scores. On the basis of these inspections, it is ultimately determined which sites are remediated through CERCLA.

After sites have been selected for inclusion on the National Priority List (NPL), they are subject to a remedial investigation and feasibility study (RI/FS) prior to the final remedy being designed and action taken (RD/RA). The IEPA is responsible for these activities as well as negotiation of enforceable agreements and oversight of responsible party funded projects for state lead Superfund projects.

While the conventional process has been effective, it has often taken a very long time. Consequently, EPA has developed an expedited process for many sites called the Superfund Accelerated Cleanup Model (SACM), which gets initial cleanups done much quicker. IEPA has also participated in this process, and will seek to expand its role.

LUST Program Description - The Hazard and Solid Waste Amendments of 1984 extended and strengthened the provisions of the Solid Waste Disposal Act as amended by RCRA. One major portion of the RCRA, as amended, Subtitle I, provided for the development and implementation of a regulatory program for underground storage tanks containing regulated substances and petroleum, and releases of these substances to the environment. In 1986, Subtitle I was amended to incorporate a federally-funded underground petroleum storage tank program to address releases from underground petroleum storage tanks.

In 1987, the Illinois General Assembly enacted a law developing a state program to meet the objectives of the proposed federal underground storage tank program. Currently, Illinois has rules and regulations in effect that are consistent with the federal LUST rules and regulations. Illinois has entered into a cooperative agreement with USEPA in which the Illinois Environmental Protection Agency (IEPA) and the Office of the State Fire Marshal (OSFM) administer a comprehensive underground storage tank program at the state level. Under a Memorandum of Agreement, OSFM administers the preventative side of the state program, and IEPA administers the remedial investigation/corrective action portion of the state program, as well as administration of the state UST Fund. The Illinois LUST Program is funded by both a federal grant and state UST Fund dollars.

LUST staff review the technical adequacy of site classification plans and reports, groundwater monitoring plans and reports, corrective action plans and reports, and associated budgets. This includes the development of the appropriate remediation objectives for each site. Once the site has met the appropriate remediation objectives, the IEPA issues a "No Further Remediation" letter for the release. LUST staff also perform site inspections as needed. In addition, IEPA staff review and process claims for reimbursement from the UST Fund for corrective action costs.

2. Program Linkage to Goals/Indicators

Superfund/Brownfields Program Linkage to Goals/Indicators - Environmental goals and indicators proposed for this program look at two fundamental aspects; identifying contaminated sites and reducing health and environmental risks at those sites to acceptable levels. Over the next five years, we expect that the number of identified contaminated sites will continue to grow as a result of continuing site assessments and expansion of the Brownfields/voluntary cleanup programs and as a result of performance strategies relative to Brownfields and the NPL program. We expect significant increases in the amount of remediated land, particularly for non-NPL sites.

The following table shows the environmental goals and indicators that have been developed and a related core performance measure for this project.

Goal	Indicator	Core Perf. Measures
<ul style="list-style-type: none">● Trend of increased protection and reduction of exposure for people due to land contamination.	<ul style="list-style-type: none">● Acres of land where health risk is reduced or found to be insignificant.	<ul style="list-style-type: none">● Median number of days required from acceptance of application into SRP program to issuance of an NFR or 4(y) letter.● Percent of NPL sites or NPL caliber sites where removal action has been initiated.● Percent of NPL sites or NPL caliber sites where remedial action has been initiated.

LUST Program Linkage to Goals/Indicators - The IEPA, in conjunction with Region 5, has developed environmental goals (EG) applicable to land quality in Illinois. These environmental goals represent environmental targets that are beyond the near-term (typically, more than 5 years). They may be quantitative targets or long-range qualitative targets that have other intermediate milestones, such as objectives. Environmental indicators (EI) have been established as a means to measure progress at suitable time intervals towards achievement of goals, or even objectives if such near-term targets are set. The Bureau of Land (BOL) has also developed core performance measures (CPM) as a means to identify and report on program performance outcomes that are critical for sound operation of national environmental programs. Planned outputs (PO) have been developed as program activities that are important work products or deliverables during a grant period.

Goal	Indicator	Core Perf. Measure
<ul style="list-style-type: none"> ● Trend of increased protection and reduction of exposure for people due to land contamination. 	<ul style="list-style-type: none"> ● Annual number of acres where no further remediation is required. 	<ul style="list-style-type: none"> ● Average cost of LUST cleanup (based on payment from UST fund).

The number of LUST releases are expected to increase by as many as 8,000 by the end of 1998 as a result of tanks being upgraded to meet federal requirements. Beginning in 1999, the number of LUST releases each year is expected to decrease significantly. Resources will be focused on sites that pose the highest human health and environmental risk, have regulatory deadlines and "Brownfields" sites that are part of a property transfer.

3. **Program Strategies**

Superfund/Brownfields Performance Strategies - Performance strategies for this program address expansion of "Brownfields" efforts, risk-based cleanup decisions and continued growth in the state role on NPL site cleanups and more enforcement capability.

- a. "Brownfields" has emerged over the last two years as one of the most significant issues, and opportunities, for the cleanup program. IEPA has been a national leader in this area and will continue to improve its program efforts to accelerate redevelopment of contaminated sites. This effort will include implementation of a new state law codifying IEPA voluntary cleanup program experiences; new efforts to assist local governments in developing Brownfields programs; and increased emphasis on risk-based cleanups.

•Planned Output 1 - IEPA has prepared a proposed rulemaking for the Site Remediation Program (SRP), frequently referred to as the state voluntary cleanup program. These rules will codify and streamline procedures for cleanup of Brownfield sites. IEPA will work with the Illinois Pollution Control Board and affected groups to complete the adoption of TACO rules.

•Planned Output 2 - Will develop a proposal for causation-based, proportional liability, that will have applicability to Brownfield sites.

•Planned Output 3 - IEPA will work with Region 5 assistance, towards educating the public about Brownfield issues through conferences and seminars directed towards the private sector and municipal governments.

•Planned Output 4 - Identify annual number of contaminated sites that are identified.

- b. IEPA considers incorporation of risk-based cleanup objectives across all cleanup activities (Superfund, RCRA, LUST) to be a vital issue. BOL has finalized a pre-rulemaking administrative procedure to guide its decision making.

•Planned Output 5 - IEPA has prepared a proposed rulemaking based on risk-based methodologies for corrective action that incorporates a Tiered Approach to Cleanup Objectives (TACO). TACO will be available for use at Brownfield sites falling under SRP, LUST or RCRA. IEPA will work with the Illinois Pollution Control Board and affected groups to complete the adoption of TACO rules.

•Planned Output 6 - Number of sites entering SRP program.

•Planned Output 7 - Number of sites in SRP which have received a NFR letter and acres remediated.

•Planned Output 8 - Number of sites receiving an action under the State Response Action Program and acres remediated.

- c. In order to streamline our efforts and demonstrate partnership IEPA and Region V have reached an agreement on their respective oversight roles which will be shortly attached to the Superfund Memorandum of Agreement (SMOA) as an amendment. This amendment will greatly reduce the duplication of effort by identifying those activities that need only be done by one Agency.

IEPA will continue to strive for increased authority and flexibility in the project management of NPL sites by implementing the agreement reached in FY-'96 regarding reduced oversight roles of both IEPA and USEPA. Redundant reviews are eliminated, normal reviews are reduced to a minimum so as not to slow projects down, and actions requiring a formal approval are kept to a minimum (e.g. record of decisions etc.)

- d. The CERCLA Redevelopment Assessment Program is a relatively new effort which utilizes CERCLA resources to conduct environmental investigations of publicly or privately owned lands in which the real or suspected threat of contamination acts as an impediment to future redevelopment of the property (i.e., Brownfields). Over the next year the State and U.S. EPA Region 5 will work with local governmental officials, to refine program protocol and practices. The goal of this effort is to encourage more privately funded cleanups.

IEPA will work with municipal governments to select key sites at which IEPA can perform Phase II site assessments that will assist with Brownfield redevelopment.

•Planned Output 9 - IEPA will conduct environmental assessments on approximately eight (8) Brownfield properties. We anticipate that the program efforts may result in the redevelopment effort at two of these sites in FY97.

- e. IEPA will, as it has in the past, continue to manage certain aspects of the Superfund program under our various agreements and the new block grant. In anticipation of an amended CERCLA in FY-97 efforts will be taken to ensure IEPA is prepared to manage a fully delegated State Program that is expected to be offered. The Agency will build on those areas where it is experienced and seek to develop capability where necessary in those areas identified in new legislation. As part of our partnership it may be more appropriate, if the parties concur, to have USEPA take over the enforcement aspect of the project, but still utilize the IEPA's project manager as the technical support.

In 1995, IEPA and Region 5 negotiated an addendum agreement to the Superfund MOA to assist Brownfield sites under the state voluntary cleanup program in resolving liability concerns relative to federal EPA. During FFY 96 IEPA and Region 5 began developing a similar addendum for RCRA issues.

•Planned Output 10 - Number of NPL sites at which construction has been completed.

•Planned Output 11 - Number of NPL sites at which removal or remedial actions have been completed.

•Planned Output 12 - Number of NPL sites at which a Record of Decision includes a remedy, has been signed.

•Planned Output 13 - During FFY 97 IEPA and Region 5 will work to complete negotiation of a RCRA MOA for Brownfield issues.

•Planned Output 14 - Work with USEPA to develop, by the end of the second quarter FFY-97, environmental indicators which realistically demonstrate the risk reduction achieved at Superfund NPL sites, and population protected.

•Planned Output 15 - During FY-97 IEPA and USEPA will implement a more flexible Superfund Block Grant to replace nearly 13 separate existing cooperative agreements which are currently negotiated for each NPL site. This grant allows IEPA to transfer funds from one site to another without USEPA approval. IEPA and USEPA plan to finish work on the block grant in the second quarter of FFY97.

- f. Efficient and effective management of the CERCLA program

•Planned Output 16 - Participate in the development or review of new EPA policy/guidance, and regulations relative to Federal Superfund.

•Planned Output 17 - Multi-disciplinary training for staff in all program guidance areas and protection of staff from site health hazards.

•Planned Output 18 - Develop, revise, maintain necessary fiscal systems/procedures, reports and records to ensure accurate and timely reporting of site expenditures.

•Planned Output 19 - Review contractor invoices for compliance with contract rates and administer the payment of bills for services rendered with appropriate Project Manager interaction/input.

g. Conduct legal, statutory and regulatory activities necessary to implement effective enforcement activities at NPL sites.

•Planned Output 20 - Provide general legal advice and consultation on matters pertaining to state implementation of CERCLA.

•Planned Output 21 - Draft, revise and, in general, shepherd to fruition, state guidance, regulation or statutory authority to ensure effective implementation of the State CERCLA enforcement program.

•Planned Output 22 - Provide coordination with other regulatory programs (i.e., Clean Water, Clean Air Programs, RCRA) with respect to ARARS.

h. Provide effective administration of a Cost Recovery Program

•Planned Output 23 - Maintain EPA required cost documentation to support USEPA cost recovery efforts.

•Planned Output 24 - Coordinate and plan cost recovery efforts with USEPA.

i. Manage and maintain Community Relations Program

•Planned Output 25 - Develop educational/informational items to inform general public, legislators, environmental groups, and the local populace of cleanup efforts and successes.

- Planned Output 26 - Assist in media relations (including news releases, television appearances, radio interviews) on IEPA and USEPA removal and remedial activities.

LUST Performance Strategies

- j. IEPA will monitor and record in a database the number of LUST releases reported.

- Planned Output 27 - IEPA will report the number of confirmed LUST releases.

- k. IEPA will review LUST plans and reports. Resources will be focused on sites that pose the highest human health and environmental risk, have regulatory deadlines and “Brownfields” sites that are part of a property transfer.

- Planned Output 28 - IEPA will report the number of LUST cleanups initiated, number of LUST cleanups completed and the number of acres remediated. We will also provide a brief narrative describing the impact of the Tiered Approach to Corrective Action Objectives (TACO) and the impact of the cleanups initiated and completed.

- l. IEPA’s Office of Chemical Safety, Emergency Response Unit will respond to LUST emergencies. The number of emergencies may increase as a result of more tanks being pulled to meet the 1998 upgrade deadline.

- Planned Output 29 - IEPA will report the number of LUST emergency responses.

- m. IEPA will work with the Illinois Pollution Control Board (IPCB) to adopt revisions to the LUST rules (35 Ill. Adm. Code Part 732).

- Planned Output 30 - IEPA will report the progress of our Part 732 rulemaking efforts.

- n. IEPA will fully implement the TACO and work with the IPCB to adopt the new TACO rules (35 Ill. Adm. Code Part 742).

- Planned Output 31 - IEPA will report the progress of our Part 742 rulemaking efforts.

- o. IEPA will work with USEPA to receive approval of the Illinois UST Fund as an acceptable method to meet the federal financial assurance requirements for Illinois petroleum underground storage tank owners and operators.

•Planned Output 32 - IEPA will report the progress of efforts to receive approval of the Illinois UST Fund to meet the federal financial assurance requirements.

- p. IEPA will continue to enhance our outreach efforts to help tank owners and operators understand the program and comply with the LUST rules and regulations. This will include publication of a newsletter, technical guidance sheets and meetings with tank owners and operators that have reported a new release.

•Planned Output 33 - IEPA will report our outreach efforts and provide copies of any publications.

- q. IEPA will work with Region 5 to acknowledge the use of TACO through a Memorandum of Understanding (MOU).

•Planned Output 34 - IEPA will report on the progress of obtaining a MOU with USEPA with regard to TACO.

- r. IEPA will take appropriate formal and informal enforcement actions, as needed, to ensure that cleanups are proceeding to protect human health and the environment.

•Planned Output 35 - IEPA will report the number of formal and informal enforcement actions taken.

4. Program Resources

For FY 97, federal grants funding for these programs will not be part of the Performance Partnership Grant. Program resources are shown in this agreement for work plan purposes and do not relate to the partnership grant budget.

Superfund/Brownfields Program Resources - The CORE Program Cooperative Agreement supports non-site specific activities in both the federal and state portions of the IEPA site remediation program. These activities are usually either administrative, program support related or are program developmental. This CA currently supports the following workyears: Core (Activities 1-10) - 9.85; and Brownfields (Activity 11 - to be determined). "Activity" items referenced above are outlined in the work plan summary of the March 17, 1995 IEPA application for federal funds. Performance measures for these activities are detailed in the Appendix to this agreement.

The Site Assessment Cooperative Agreement supports a multi-step process from site discovery to listing a site on the National Priorities List. This CA funds investigation, sampling, inspection and other data gathering activities for potential NPL sites. Performance measures are provided for directly in that CA. USEPA supports site specific activities through site specific or multi-site cooperative agreements. These CAs provide funding for state fund lead

RI/FS and RD/RA activities and for PRP oversight by IEPA. Each CA details work plans for the applicable site. In addition, IEPA supports many work years from non-federal sources for cleanup activities other than Superfund.

The Site Assessment CA also supports the Illinois Brownfield Pilot project. This pilot allows IEPA to work with local communities to identify and assess a number of sites with redevelopment potential. This pilot is in its second year, and has already shown success with one site being developed in Chicago, and with other redevelopments eminent in Chicago, and E. St. Louis.

PROGRAM	Federal Work Years	State Work Years	Total Work Years
Superfund/ Brownfields	40	44	84

LUST Program Resources - In FY'97, the LUST EnPA will be supported by approximately 62 work years. Nearly two-thirds of these work years are state funded. The federal and state work years are as follows:

PROGRAM	Federal Work Years	State Work Years	Total Work Years
LUST	29.03	39.22	68.25

5. Oversight Arrangements and Responsibilities

Superfund/Brownfields Partnership Arrangements

Both USEPA and IEPA support each others activities throughout the Superfund process including reviews of work plans, investigations, studies, community relations plans, risk assessments, remedial designs, draft and final reports, etc. This process can result in duplication of effort and diminishes a relationship based on a true partnership. In order to streamline our efforts and demonstrate partnership IEPA and Region V have reached an agreement on the support roles which will soon be attached to the Superfund Memorandum of Agreement. This amendment will greatly reduce the duplication of effort identify those activities that can be conducted without oversight, review or prior approval, and focus on the "bottom line". In order to streamline our efforts and demonstrate partnership IEPA and Region V have reached an agreement on their respective oversight roles which will be shortly attached to the Superfund Memorandum of Agreement (SMOA) as an amendment. This amendment will greatly reduce the duplication of effort by identifying those activities that need be done by only one Agency. The Region and IEPA have been informally reducing oversight for the last several months by sharing responsibilities. For example, if USEPA reviews a site's risk assessment then IEPA will defer its review and vice versa.

COMPARISON OF FEDERAL VS. STATE OVERSIGHT		
<i>Document for Review</i>	<i>Federal Role</i>	<i>State Role</i>
Community Relations Plan	A*	RC
Health and Safety Plan	RC	AUD
QAPP	A*	AUD
Sampling Plan	RC	RC
Field RI Activities	AUD	AUD
Draft RI Report	RC	CNC
Final RI Report	AUD	RC
FS Workplan AUD	AUD	AUD
ARAR Review	RC	RC
Draft FS	RC	RC
Final FS	AUD	AUD
Proposed Plan	A	RC
ROD	A	CNC
Responsiveness Summary	RC	AUD
(*limited) A-Approve, AUD-Audit, RC-Review and comment CNC - Concur or non-concur		
Definition of Terms		
<p>Approve - Each agency must fully approve each document before the document can be considered final.</p> <p>Audit - Prior approval or a response to the document is not required, however the support agency may do a review after the fact to determine conformance with established procedures. If there is a deficiency identified and the parties concur, then steps shall be taken to correct the deficiency. Non-concurrence on deficiencies should be elevated to the appropriate mangement levels.</p>		

Review and comment - The support agency will review and comment on the designated document. The lead agency does not need to receive an approval from the support agency to produce a final document.

Concur or non-concur - The support Agency may either concur or non-concur on the document. Non-concurrence will require that the issues relevant to the document are elevated to the appropriate management level for potential resolution of the dispute.

LUST Oversight Arrangement - The IEPA/Region 5 oversight arrangement will be similar to the oversight that has been provided over the past couple of years. Region 5 and IEPA will:

- conduct monthly conference calls with the appropriate people from each agency participating;
- conduct semi-annual meetings (at mid-year and end-of-year) to discuss progress in the LUST program; and
- coordinate the grant status (IEPA will continue to provide quarterly financial status reports).

The monthly conference calls and semi-annual meetings will allow IEPA and Region 5 to discuss changes in legislation, regulations, policies and procedures. Region 5 will provide a mid-year report and end-of-year report following the meetings. IEPA will report the progress in the LUST program in the Environmental Performance Self-Assessment.

6. Federal Assistance

Superfund/Brownfields Federal Assistance - Currently, the Core Grant serves as the only "program grant" for the Superfund Program. As Superfund is quickly moving toward a greater state role and a delegatable program, the Core Grant needs to fund a larger degree of program development and hiring of support staff. A block grant or a combination of a block/core grant is being developed in order for this program so that it will have the resources to evolve.

IEPA recognizes that, because of the statutory Trust Fund constraints on the Superfund program, accurate accounting of how Trust Fund monies are spent in all areas (including the tracking of equipment), is critical. However, IEPA would like to see USEPA look for more flexibility in terms of the physical location of equipment versus whether the amount of equipment purchased is warranted by the appropriate staff/program size.

Federal Role for LUST

- a. The Region will provide technical assistance to further the efforts of the IEPA to implement TACO in the LUST program in Illinois.
- b. The Region will keep IEPA informed of upcoming training, seminars, meetings, and other forms of exchanging ideas and information. In addition, if IEPA identifies specific training needs, the Region will assist in locating and/or provided the needed training.
- c. The Region will keep IEPA informed of projected LUST funding, procedure and policy changes and other information that will directly or indirectly affect IEPA's administration of the LUST program.

I. Clean/Safe Water Program

1. **Program Description** - This program works to protect and maintain existing water resources in Illinois. Three principal efforts work together to fully address all aspects of water resource protection and management. Several program elements serve all efforts, and are consolidated. These functions include data management; compliance assurance (including formal enforcement management systems approved by USEPA) for both facility operational parameters and competency of facility operating personnel; program administration; and quality control and quality assurance for environmental monitoring.
 - a. **Water Pollution Control** - Illinois' point and nonpoint source programs are managed using a watershed management approach and two permit systems to control the discharge, treatment or disposal of wastewater. The program serves to manage and protect existing water resources; restore and maintain water quality in those waters which have degraded due to natural causes or human actions; monitor water quality and water resource conditions; manage watersheds and aquifer recharge areas; limit discharges into water resources; insure operational compliance through facility inspection and evaluation; participate in educational activities to insure that both owners and operators understand operation, compliance and administration requirements; provide compliance assistance and initiate informal and formal enforcement procedures; and administer financial assistance programs. Reporting on all compliance provisions contained in statute is done through PCS. Program operations are authorized by primary delegation for federal Clean Water Act and its regulations, specific delegation agreements for NPDES and grant/loan activities, and through requirements of the Illinois Environmental Protection Act. Program emphasis is being restructured to focus upon compliance through pollution prevention measures, using watershed management as the basis for redirecting and more closely coordinating existing activities, as well as the framework for developing new activities.

- b. Public Water Supplies - Public water supplies program efforts focus on the provision of an adequate quantity of safe drinking water to Illinois consumers consistent with USEPA negotiated PWSS program priority guidance. Program activities are administered through the inspection and evaluation of water supply source, treatment, distribution, administration and operation; water quality monitoring at the source, treatment entry point and distribution system; permitting of new or modified water supply facilities or treatment processes; administration of a Community Water Supply Testing Fund (CWSTF) program that provides analytical services and assistance with monitoring related requirements; provision of compliance assistance and initiation of formal enforcement procedures; and participation in educational activities to insure that both suppliers and operators understand operation, compliance and administration requirements. A source water protection program which is closely coordinated with the watershed protection initiative of the Bureau is being used to protect surface and groundwater sources and to achieve ongoing compliance. Reporting on compliance provisions is done quarterly through the federal data management system (ultimately SDWIS). Program operations are authorized by primacy delegation for federal Safe Drinking Water Act regulations and through requirements of the Illinois Environmental Protection Act.

The Illinois Department of Public Health (IDPH) has responsibility for the noncommunity water supply (NCWS) program through a Memorandum of Agreement (MOA) that requires program operation to achieve compliance with federal SDWA and IPCB regulations. Activities under the MOA include inspection and evaluation of non-community water supplies, water quality monitoring, provision of technical assistance, enforcement activities, operator training and demonstration of competence for surface water supply operators, and source water protection programs. IDPH has contracted program responsibility to some County Health Departments. Those County Departments perform inspection services, prepare reports, provide data input and update and enforcement case referral to IDPH. Compliance reports for federal requirements are provided quarterly as an integral part of Agency reports.

The Illinois Environmental Protection Act requires the Agency to provide analytical services for all contaminants for which a maximum contaminant level has been set by the Illinois Pollution Control Board. In order to be able to provide this service, the Community Water Supply Testing Fee Program was passed by the Governor and General Assembly in 1990. This voluntary program provides analytical services for all required monitoring including repeat and confirmation samples for an annual fee. In 1996, IDPH obtained the legislation and resources required to support specific NCWS monitoring efforts through a Laboratory Fee Program. The program establishes fees for specific analyses. Analytical service for these analyses are available to all NCWSs serving fewer than 100 persons. Free analytical services are provided for schools. NCWSs serving more than 100 persons are required to use a private laboratory for analytical services. IDPH laboratories are working to receive certification for all parameters required under federal Safe Drinking Water Regulations as quickly as possible to ensure full monitoring compliance.

- c. Groundwater Protection - Groundwater protection program activities utilize a process centered upon pollution prevention to manage groundwater quality, with special emphasis upon the protection of public water supply resources. Groundwater standards developed through the state regulatory process and requirements for wellhead protection form the basis for program activities. Principal efforts include participation with priority groundwater protection planning committees to develop and implement groundwater protection programs; maintenance of an ambient groundwater network; technical assistance, compliance monitoring and enforcement of wellhead protection programs using well site surveys and review of local setback zone ordinances; development, support and enforcement of groundwater standards; participation in special groundwater projects and studies; technical assessments of source vulnerability criteria for well siting and monitoring waivers; technical assistance for compliance; initiation of formal enforcement procedures; participation in educational activities to insure that all required program elements are understood by water suppliers and operators; and interagency coordination of all state programs which deal with groundwater related issues. Reporting will be provided to U.S. EPA, Region 5 from the Groundwater Section's geographic information system and Water Works Data Base, which includes compliance and site data, wellhead protection data, and hydrogeology data modules that are being integrated with the Bureau's Comprehensive Water System. The Illinois Groundwater Protection Act and the Illinois Environmental Protection Act form the legislative basis of authority for this program. Projects under Clean Water Act sections 106, 305b, and 319 and Section 1428 Wellhead Protection Program also serve as authorization and support for many groundwater program activities. An official submission of Illinois' Core CSGWPP was made to the Regional Administrator . After the CORE program is endorsed, the groundwater protection program will work with U. S. EPA and other groundwater-related programs to achieve greater flexibility, as well as continue to work toward improvements in groundwater protection using a targeted resource-based approach.

The Illinois Department of Public Health continues to implement a wellhead protection program for noncommunity water supply (NCWS) wells in accordance with the implementation strategy submitted and approved by U.S. EPA Region V in July 1992. The implementation strategy primarily focused on: expansion of the wellhead protection area (WHPA) to 1,000 feet; inspection of the expanded WHPA during routine sanitary surveys that area conducted every one-two years; and sponsorship of wellhead protection workshops for county and regional personnel.

State requirements also include provisions for NCWSs. The Illinois Groundwater Protection Act established setback prohibitions that apply to non-community water supply wells. The Illinois Pollution Control Board adopted technology control regulations that apply to certain new and existing activities within the non-community well setback zones. County and Regional Health Department representatives participate in the four Priority Groundwater Protection Planning Region committees appointed by the Agency under the Act to assist with groundwater protection programs across the State.

2. **Program Linkage to Goals/Indicators** - The environmental goals and indicators include various water related conditions. These indicators were chosen to reflect statewide progress in areas of water quality, safety of the drinking water provided to Illinois citizens and overall reductions in water-related pollutant loading. The section on Performance Strategies describes new or expanded activities that will be implemented in FY97 that lead to achievement of the environmental goals and indicators.

The “Watershed Management” strategy addresses those watersheds with significant water quality concerns. The specific activities listed under this strategy will direct Bureau programs to improve or protect water quality conditions in impacted streams or lakes (waterway and inland lake conditions). The point source control activities in the watershed strategy will also provide improved compliance for those discharges that most directly influence water quality (wastewater discharges). Further, the source water protection component will insure increased compliance with drinking water criteria (finished drinking water) and insure that the areas around community water supply wells are protected from hazardous sources of pollution (groundwater recharge areas). Finally, the sediment management program is intended to address the most significant remaining water-based sources of pollution to Lake Michigan (Lake Michigan conditions) and other surface waters.

The activities listed under “program enhancements” will also contribute to achievement of the goals and indicators. The NPDES program delegation is expected to improve both understanding of and compliance with permit requirements. NPDES permit backlog management activities will place priority on discharges to impacted watersheds and should contribute to improved overall water quality (waterway and inland lake conditions). Public Water Supplies will focus on the development and initial implementation of innovative programs needed to carry out the provisions of the Safe Drinking Water Act Amendments of 1996 including the integration of source water protection provisions into Watershed Management. The expanded municipal compliance assistance programs and integrated field monitoring will be directed at both wastewater discharges and public water supplies and should improve compliance rates in both areas (wastewater discharges and finished drinking water).

Goal	Indicator	Core Perf. Measure
1. Waterways with Good water quality conditions will increase 10% by the year 2000.	The percentage of waterways that are classified as Good, Fair or Poor based on assessment of aquatic life use attainment.	Percent of state waters monitored or assessed (includes waterway, inland lake, and Lake Michigan).
2. The percentage of lakes in Good or Fair condition will remain constant from 1995 to the year 2000.	The percentage of inland lakes classified as Good, Fair, or Poor based on assessments of overall use support attainment.	Percent of state waters monitored or assessed (includes waterway, inland lake, and Lake Michigan).

Goal	Indicator	Core Perf. Measure
3. The percentage of open shoreline miles in Good condition remains constant from 1995 to the year 2000.	The percentage of Lake Michigan open shoreline miles that are classified as Good, Fair, or Poor based on assessments of overall use support attainment.	Percent of state waters monitored or assessed (includes waterway, inland lake, and Lake Michigan).
4. The percentage of non-compliant pollutant load discharged in the year 2000 will be less than 0.5% of the total permitted pollutant load discharged.	The total pollutant load (in pounds of pollutants) associated with non-compliance as a percentage of the total permitted load discharged.	Percent of discharge monitoring data received that is required to be reported by the NPDES permit program. Yearly significant non-compliance days per NPDES major discharger.
5. The percentage of the population served by community water supplies who receive drinking water with no short term (acute) or long term (chronic) adverse health effects increases to over 95% by the year 2000(an increase of 5%).	The percentage of persons served by community water supplies that have not incurred violations of any acute MCL, chronic MCL, acute treatment technique, chronic treatment technique or health advisory during the year for drinking water standards that have been in effect for more than 3 years.	Percent of sample results received that are required to be reported under the Safe Drinking Water Act.
6. The percentage of groundwater recharge areas (acres) with protection programs established or under development will increase 15% between 1995 and the year 2000.	The percentage of total recharge groundwater recharge areas (acres associated with water supply wells) using unconfined aquifers that have protection programs established or under development.	Percent of public water systems that are covered by a fully implemented source water (ground or surface water) protection program.

- | | | |
|---|--|---|
| 7. For groundwater used by CWS wells withdrawing water from unconfined aquifers, a declining trend or no increases in groundwater exceedences will occur through year 2005. | Trends for groundwater CWS containment exceedences in CWS wells using unconfined aquifers. | Percentage of groundwater monitoring areas meeting statistically-based design parameters. |
|---|--|---|

3. **Performance Strategies**

- a. **Watershed Management** - The IEPA began the process of restructuring its program activities in all areas around a priority watershed management approach three years ago. This restructuring includes both surface water programs and those groundwater activities that are related to public water supply requirements. Watershed workshops, to incorporate public comments on the watershed management approach, have been underway this last year. The first half of FY97 will see the continuation of the workshops with the public, aimed at refining the watershed plan development process. We have identified priority watersheds that will receive initial attention but this list may change as a result of public input. In order to benchmark the effects of ongoing watershed meetings with the public, a series of pilot priority watershed plans will be developed on a fast-track basis. These watersheds will be selected using the Targeted Watershed Approach and available information on local watershed activities.

The Bureau will continue to operate an Ambient Water Quality Monitoring network for both surface and groundwater, conduct intensive basin surveys, and coordinate a network of monitoring volunteers to supplement lake and stream water quality data collected by IEPA. The Bureau will also maintain and update the State Water Quality Management Plan which identifies goals and objectives pertaining to activities having water quality impacts.

•Planned Output 1 - Status report in January 1997 on the Priority Watershed process; including list of priority watersheds. NPDES permits located in these watersheds, and watersheds targeted for fast-track efforts.

•Planned Output 2 - Brief report at FFY and on progress in implementing watershed approach.

•Planned Output 3 - Number of water quality surveys.

- **Point Source Control Programs** - Emphasis will be placed on managing those point sources that cause or contribute to water quality problems in priority watersheds. These sources will include both major industrial and municipal dischargers and significant minor dischargers. The Bureau will track progress in reducing impacts from these sources as a measure of success in implementing this aspect of the watershed program. By diverting resources to problem dischargers in priority

watersheds, we expect that there will be some reduction in historic work effort devoted to major discharges that are not in priority watersheds. However, we intend to insure that inspections are conducted and expiring permits are reissued on at least 80% of major dischargers. We also expect to continue to maintain compliance rates consistent with USEPA goals.

•Planned Output 4 - Summary information on reduction in pollutant loading from priority targeted watershed sources at the end of each federal fiscal year.

•Planned Output 5 - Number of facility inspections conducted.

Federal Role --USEPA acknowledges the shift in program emphasis from major discharges to sources impacting priority watersheds. Preissuance oversight of individual permits has been essentially discontinued, and available federal resources on the permitting side will be focused on resolving common permitting issues associated with existing new or revised federal policies or effluent guidelines, identifying and resolving issues associated with state delegation and initial operation of the sludge program and pretreatment programs. USEPA will also be responsible for advising the state of their interest in the NPDES permits for dischargers located in the USEPA place based efforts such as Gateway or Greater Chicago. Available federal resources for compliance and enforcement will be focused on compliance monitoring in priority sectors, including petroleum refining, iron and steel, industrial organic chemicals, industrial inorganic chemicals, combined sewer overflows; sludge inspection; storm water inspections, and enforcement of significant violation found in these sectors; compliance assistance and enforcement related to the sludge program; and support to the state for its efforts in priority watersheds, or where federal enforcement action is requested or warranted, as resources allow. In those areas where the USEPA has identified “place-based” initiatives, such as Greater Chicago, Piscasaw Creek, and the Gateway areas, USEPA will take the lead on working out a process to provide adequate program coverage that takes best advantage of the resources of both agencies, and other partners. USEPA will work with IEPA to schedule direct assistance for the following activities:

1. Performing construction site stormwater inspections.
2. Reinstating seminars for pretreatment POTWs.
3. Setting up seminars for industrial users of specific POTWs.
4. Setting up a permit writers workshop.

USEPA will provide this assistance as its staff resources allow and in consideration of the needs for similar assistance by other states in Region 5.

- Nonpoint Source Programs - IEPA proposes to expand nonpoint source management programs using funding made available from program grants and Section 319 of the Clean Water Act. Additional base program activities in those priority watersheds impacted by nonpoint sources will include expanded monitoring, consultation and

technology transfer/awareness programs directed at contributing watershed land owners, intergovernmental working agreements, increased attention to permitted and unpermitted storm water sources and accelerated implementation of program activities identified in the approved Nonpoint Source Management Plan. Section 319 projects will place emphasis on correction of specific watershed problems and development of implementable watershed plans.

•Planned Output 6 - Nonpoint source base program activities will be re-evaluated through a revision of the Nonpoint Source Management Plan.

Federal Role--Regional staff will support the expanded funding of nonpoint source monitoring and control activities that are part of the overall watershed program. In some cases, this may require consideration of activities that have not historically been generally considered for nonpoint source support at the federal level. Except for support the USEPA will provide the IEPA in preparing for and conducting the watershed workshop in or near the Piscasaw watershed, where the IEPA and USEPA have formed a partnership to foster continued water quality protection, there is no expanded federal role currently needed to implement this activity.

- Public Involvement - The key to the success of the watershed program is understanding and involvement of citizens with local knowledge of water quality problems. Initial presentation of the watershed approach to the public will be through a series of workshops to be held around the state. The workshops will allow for local input into the watershed plan content to assure that local interests are represented within the final watershed plans.

•Planned Output 7 - Remaining watershed workshops will be completed by January 1997.

Federal Role--

1. USEPA will assist the IEPA with and, as possible, participate in, the Water Management Program Workshop which IEPA has scheduled.
 2. USEPA and the IEPA will discuss the creation of an association of watershed stakeholders which exist throughout the state.
- Source Water Protection -Bureau will begin aggressive implementation of a source water protection program under the newly re-authorized Safe Drinking Water Act. Under the Amendments, source water protection (SWP), SRF technical assistance and review, groundwater protection grants, and SWP petition reviews will be established and implemented to improve monitoring flexibility and retain primacy. Monitoring flexibility will continue to be based on implementation of effective source water protection programs. Technical assistance and outreach in the form of source water protection area delineations and potential source identification will be enhanced. The Bureau will work with land owners in the source water protection area and

community water supply officials to implement this program. Cooperative efforts with entities such as the Groundwater Guardian will also be encouraged. Illinois' watershed program is unique in that it integrates surface water programs with groundwater programs aimed at the protection of public water supplies. In many cases, local involvement in wellhead and recharge protection programs as well as protection of watersheds tributary to surface water supplies are a critical component of a priority watershed plan. By including groundwater and land use considerations into watershed plans in the vicinity of community well and surface water supplies, the surface acres will be significantly increased in source water protection plans. These actions have increased the number of vulnerability waivers that are granted to community water supplies. Expanded wellhead and recharge zone protection areas also offer incentives for pollution prevention initiatives by industrial and agricultural sources. The Bureau intends to continue to work closely with the Agency's Office of Pollution Prevention to target these sources.

The Bureau will place five pollution prevention interns in communities within Priority Groundwater Protection Planning Regions. These interns are developing local community based source water protection programs. Five nonpoint source pollution prevention projects will also be initiated to implement integrated pesticide management plans, nutrient management plans, scouting, soil testing, and other appropriate agricultural pollution prevention measures in communities implementing local source water protection programs.

Source water protection areas for the 24 highest priority community surface water supplies have been delineated and related to Illinois' Aquifer Sensitivity to Pesticide Leaching Potential Map and digital elevation models. These maps are being provided to stakeholders to assist with development and implementation of watershed management plans. Technical assistance for land owners and community officials has also been offered. Six of these 24 communities are already participating in the new Clean Lakes program.

The Bureau will also use the ambient groundwater monitoring network of community water supplies to measure exceedences in source waters, and work to develop an overall groundwater quality indicator.

The Illinois Department of Public Health is coordinating the development of a source water protection program through participation on the Natural Resource Coordinating Council's Watershed Management Committee chaired by the Agency. IDPH recently surveyed the location of all non-community surface water intakes using global positioned system receivers to allow integration with watershed boundaries using a geographic information system. Existing IDPH regulations provide for the approval of sources that are subject to either ground or surface water contamination. IDPH can prohibit the use of such sources by new NCWSs or require an existing NCWS to either change sources or provide treatment.

•Planned Output 8 - Placement of five pollution prevention interns.

•Planned Output 9 - Five nonpoint source pollution prevention projects initiated.

Federal Role-- Region 5 staff will need to work closely with Illinois EPA staff to accelerate source water protection guidance development. Given the advanced nature of Illinois source water protection program, it would negatively impact program implementation to wait 18 months for U.S. EPA to develop guidance. During FY 97, the Agency and the Region will implement reductions to work plan detail and reporting requirements for the groundwater protection program negotiated in FY 96, and accommodate new electronic reporting from the State.

USEPA will ensure that drinking water concerns are considered in watershed protection grant proposals; support state efforts to provide accurate location data for PWSs; and provide emergency preparedness and response assistance through participation in groups such as the Emergency Response Team, Regional Inter-agency Steering Committee, and the Inter-agency Hazard Mitigation Team.

- Lake Management Programs - The Governor's "Conservation 2000" program initiated in SFY96, provide a wide range of conservation initiatives to be implemented by the Illinois Department of Agriculture and the Illinois Department of Natural Resources as well as the Agency. Many of these activities are expected to directly or indirectly impact the watershed program, particularly in the area of nonpoint source control. Conservation 2000 includes funding to implement the "Lake Management Framework Plan"; a comprehensive interagency program for improvement of Illinois' inland lake resources. The first phase of this program includes expanded technical assistance to lake owners interested in developing restoration and protection plans. A limited financial assistance program has been put in place (the Illinois Clean Lakes Program) to provide grants for planning and implementation of these activities. Lakes with watersheds on the priority list will be given first access to the funding and technical assistance provided by the Conservation 2000 program.

•Planned Output 10	- Initiate and administer from 3-5 Phase I diagnostic-feaibility studies and 1-2 Phase II implementation projects in the Illinois Clean Lakes Program.
--------------------	--

•Planned Output 11	- Conduct Ambient Lake Monitoring Program monitoring activities at 50 inland lakes.
--------------------	---

•Planned Output 12	- Conduct basic Volunteer Lake Monitoring Program(VLMP) Secchi transparency monitoring at 160 lakes. Conduct expanded VLMP monitoring (i.e., Chlorophyll <u>a</u> , Water Quality, Zebra Mussel) at 100 lakes.
--------------------	--

•Planned Output 13	- Expand technical assistance capabilities to lake associations, volunteers, lake owners/ managers, and the public by hiring two additional staff.
--------------------	--

•Planned Output 14 - Provide funding for and administer approximately 50-75 Lake Education Assistance Program.

•Planned Output 15 - Plan for and conduct four lake management workshops in different parts of the state.

•Planned Output 16 - Develop and distribute 5-10 “Lake Notes” fact sheets.

•Planned Output 17 - Participate in the “Nonpoint Source Pollution information/ Education Program” national conference in Chicago, October 22-24, 1996.

Federal Role--The Federal “Clean Lakes” program authorized under Section 314 of the Clean Water Act administered by the USEPA, is essentially the same as the State program. USEPA staff will work with the Agency to insure that any Section 314 funding that becomes available will be used to complement the State program and promote the watershed process. The USEPA will also support the use of Section 319 funds to implement appropriate management measures in-lake as well as within their watersheds as set forth in approved clean lake program plans where consistent with the Illinois Nonpoint Source Management Program.

- Sediment Management - There are several areas in the State where contaminated sediments are causing or contributing to ongoing water quality problems and use impairments. The most notable of these are in harbors and embayments of Lake Michigan. While Illinois has one of the better sediment quality data bases in the nation, it is often inadequate to quantify the extent of contamination. Such information is needed to develop effective remediation programs. The Bureau will utilize the watershed management program to focus limited resources on those watersheds that indicate a contaminated sediment problem. Available data will be used along with local experience to initially identify areas requiring remediation. Once identified, sediment monitoring resources will be used to better define the extent of the problem and necessary controls to eliminate existing contaminated sediments and their sources. Control programs will then be incorporated into the Watershed Management Plans discussed above. A stream sediment classification system, useful for identifying relative levels of sediment contamination, will be produced over FFY97. This project will be similar in scope to the recently completed lake sediment classification and will update a stream sediment report published by IEPA in 1984.

•Planned Output 18 - Progress report on updating and finalizing a sediment classification system for streams and rivers at the end of the fiscal year.

Federal Role--In the Lake Michigan Basin, the USEPA Great Lakes National Program Office will utilize both their expertise and funding sources, to the extent possible, to

support this activity. USEPA will also work cooperatively with the state on Lake Michigan critical habitats and pollutant loadings originating outside the basin. USEPA will assimilate all available data on sediments in the Calumet River and identify needs for additional information.

- b. Program Enhancements - In the IEPA's self-assessment, the Bureau identified a number of general program enhancements in the three major program areas (water pollution control, drinking water and groundwater programs) that would address identified weaknesses or improve overall program effectiveness. The following summarizes commitments to implement these enhancements and a proposed federal role:

- Safe Drinking Water Act Amendments of 1996(SDWA) - Amendments to the Safe Drinking Water Act were signed into law on August 6, 1996. Many requirements provided in the Amendments are base program efforts. Other provisions in the Amendments include a State Revolving Loan Fund (SRF) and capacity assessment. While these are new drinking water program elements, preliminary evaluations indicate that several existing Bureau programs already include basic activities essential to implementation of these new requirements. The following are specific commitments for the initial implementation of SDWA amendments.
- Small System Support - Current Bureau program enhancements developed in the FY 96 Environmental Performance Agreement target small system water supply reporting and municipal compliance assistance. Improved small system technology and treatment techniques variances, special small system variances where human health is protected but costs prohibitive, SRF availability, and potential additional technical assistance will further the implementation of these enhancements. Using provisions of the Amendments, IEPA will move to optimize monitoring requirements on a facility specific basis; implement Best Available Affordable Technology (BAAT) in systems serving 10,000 or fewer persons where appropriate; build upon existing cooperative agreement efforts with the Illinois Rural Water Association for source water protection and technical assistance for waivers; and prevent the formation of new CWS or NTNCWSs that cannot demonstrate the ability to provide management, operational and planning resources to operate in compliance with existing and anticipated new regulations.

•Planned Output 19	- Number of operational visits conducted.
--------------------	---

•Planned Output 20	- Estimate of water supply personnel informed/trained.
--------------------	--

•Planned Output 21	- Draft SRF criteria.
--------------------	-----------------------

Federal Role--U.S. EPA should move quickly to develop regulations and guidance for major Amendment requirements. Input from States and U.S. EPA Regional personnel should be included throughout the entire development procedure.

- State Revolving Fund Development for Water Supplies - In anticipation of a reauthorization of the Safe Drinking Water Act, the Agency began development of administrative rules and procedures for a water supply loan program early in FY1996. The water supply loan program in Illinois will be very closely modeled on the successful and popular wastewater loan program and will be administered by the same Bureau of Water personnel. Any further development of rules and procedures is highly dependent on whether or not USEPA elects to promulgate rules and guidance for the water supply SRF in the first two quarters of FFY1997. It is the Agency's intent to seek State authorizing legislation for establishment of the water supply SRF at the earliest possible date in FY1997 and file administrative rules immediately thereafter. Because an appropriation of State matching funds for this program cannot be obtained prior to the spring, 1997 budget session of the General Assembly, no water supply loans are anticipated to be awarded prior to FFY1998.

As was done in development of the wastewater SRF, an ad-hoc advisory committee of interested members of the public will be convened in FY1997 to provide advice to the Agency on the content of the water supply SRF administrative rules before they are filed in a final form.

●Planned Output 22	- Proposed Authorizing legislation.
--------------------	-------------------------------------

●Planned Output 23	- Development of administrative rules for operation of the Drinking Water SRF.
--------------------	--

Federal Role - U.S. EPA will develop guidance for the SRF. Provision will be made to allow States to maximize resources whenever possible by using existing wastewater SRF protocols and data where possible to expedite the program development, adoption and implementation. Input from States and U.S. EPA Regional personnel will be included throughout the entire development procedure.

- Capacity Evaluation - Existing Illinois Pollution Control Board rules and Agency regulations regarding the design, operation and maintenance of public water supply systems through the construction and operating permit processes include many capacity elements. These existing rules are being evaluated to determine the efficacy of existing language to facilitate implementation of the Amendment provisions. Should existing language not be adequate, new or revised requirements will be identified during FY97. Once federal regulations and guidance are complete, formal rulemaking efforts will be initiated, if necessary.

•Planned Output 24 - Propose needed regulatory changes.

Federal Role--U.S. EPA will develop guidance for capacity evaluation requirements, and should provide alternative models using information from States which already have programs in place. Input from States and U.S. EPA Regional personnel will be included throughout the entire development procedure.

- Technical and Public Education - These goals have been addressed since the inception of the Agency as a basic drinking water program element. A provision of the Amendments allows the U. S. EPA Administrator to provide technical assistance to small PWSs, including circuit-rider and multi-state programs, training and preliminary engineering evaluations. The Bureau has long supported technical assistance as a basic element needed to maintain compliance for all public water supplies, and has planned specific activities in FY97 in addition to routine core program operational visits (Class II Sanitary Surveys) and presentations in response to invitations. A workshop designed to provide technical assistance in record keeping, operational performance monitoring, cross-connection control and rule interpretation will be offered in several locations by the Bureau and the Illinois Rural Water Association. The Bureau and Illinois Section AWWA will jointly provide technical assistance to small water supplies by presenting a description of the changes to the Safe Drinking Water Act and other State and federal regulations at the two regional Small Systems Annual Meetings held in October, and through seminars scheduled to be presented throughout the State. Bureau personnel will continue to participate in public civic organization programs as well as professional association activities to provide education in drinking water requirements and programs.

•Planned Output 25 - Technical assistance workshops presented with Illinois Rural Water Association and with Illinois Section AWWA.

Federal Role--U.S. EPA will develop guidance for educational and technical assistance requirements. Input from States and U.S. EPA Regional personnel will be included throughout the entire development procedure. U.S. EPA personnel will actively participate in these programs whenever possible.

- Legislative Changes - Assessment will be conducted during FY 97 to determine the extent of legislative changes required as a result of the Amendments. Development of changes to existing statutory or regulatory language or new legislative proposals needed to address aspects of the State Revolving Loan fund and Administrative Order Authority will be the highest priorities. Preliminary evaluations of existing operator certification legislation and permit regulations pertinent to capacity development indicate that additional legislative action will not be required to address these Amendment requirements.

•Planned Output 26 - Assessment of necessary legislative changes.

Federal Role--U.S. EPA will review and provide comments on proposed legislation and regulations to insure consistency with federal statutory requirements. Support during the legislative adoption process may also be provided.

- NPDES Program Delegation - The Division of Water Pollution Control commits to complete delegation of the Pretreatment and Sludge Management components of the NPDES permit program in FY97 and undertaking initial operation later in the year. The Bureau will work closely with USEPA to resolve any questions or information voids that may exist. Simultaneously, the Bureau will pursue, through the Illinois regulatory process, changes to our sludge regulations to provide compatibility to 40 CFR 503. This process will also include outreach to the regulated community and the public, not only for the specific rulemaking activity but for the program itself. A similar effort will also be undertaken for the stakeholders in the pretreatment program, particularly during initial implementation when some indirect users will become subject to permits for the first time. The pretreatment communication process will also recognize the concerns of the delegated POTW's as approval authority passes from USEPA to IEPA. This process will involve significant communications with the regulated community and the public as the programs are developed and as initial implementation proceeds. The sludge program will also involve formal rulemaking. As implementation is initiated outreach in the form of an educational effort will be needed. IEPA is planning to hold workshops and prepare program specific material to aid in this effort. Innovative approaches to improving the overall operation of delegated programs will be developed during the early stages of implementation. These programs will include a proposal for market-based incentives for the pretreatment program and pollution prevention initiatives in both the sludge and pretreatment programs.

•Planned Output 27 - Application packages early in FY97 for the pretreatment program and the sludge program.

Federal Role--Expeditious federal review of the delegation agreements is essential to the timely transfer of the sludge and pretreatment programs to the State. In addition, federal involvement in the development and delivery of educational information to the regulated community will aid in the effective transfer of program responsibility to the State. Small business may be identified that have not been regulated by either USEPA or the State. These businesses need to be the target of an educational effort. The Agency, has through its small business program, been developing informational pamphlets to distribute to the small business community on an industry by industry basis. USEPA assistance in preparing these pamphlets for specific categories, such as metal finishing will enhance the Agency's ability to reach more of these small businesses.

A second area of communication enhancement would be the development of a workshop for the delegated pretreatment POTW programs. As the transition from the Federal program to the State program occurs the need to provide responses to the POTW's concerns is likely to develop. The workshops, a joint effort of USEPA and IEPA will provide an opportunity to address those concerns and provide a forum to provide a program update.

A third effort in the area of communication would be workshops to address the concerns of the regulated indirect user. Again a joint workshop format would serve that purposes. This effort could also be refined to target specific categories of indirect users, such as metal finishers that have special needs or problems that are of a unique nature. This format could also be directed to the industrial users of a specific POTW, using a workshop sponsored by USEPA, IEPA, and the POTW. USEPA support in the drafting of permit language on pretreatment and sludge management for selected facilities will minimize backlogs and expedite transition. A plan for the coordination of staff efforts in this area will be developed as part of the delegation agreements. Programs to train Agency staff on necessary permit requirements will also be provided.

- **NPDES Permit Backlog** - The Bureau currently has a backlog of expired NPDES permits ranging from 41% for industrial discharges to 14% for municipal facilities. While a backlog is never a desirable condition, the expired permit conditions remain in effect until a new permit is issued. For facilities where permit requirements are not expected to change significantly over time, the impact of operating under an expired permit is minimal. The Bureau has taken significant steps to reduce the backlog through the use of general permits and more efficient use of limited resources. We will further minimize the impact of permit backlog by targeting permit resources on reissuance of expired permits in priority watersheds with point source impacts. This initiative coupled with a continuing emphasis on major permits should effectively address the issue of backlogged NPDES permits. We will also insure that the backlog of all expired majors does not exceed 20%. During FY97 several of our general permits, which have been an important part of our backlog reduction strategy, will require renewal. Priority will be placed on renewing these permits and keeping the present permittees under these permits. IEPA has had some staff turnover in NPDES permit writers. Thus several of the staff have not had the opportunity to attend the Permit Writers Workshop, the basic training course provided by USEPA. Region 5 will make efforts to have the workshop scheduled conveniently to the Springfield area to provide a training session for IEPA staff.

●Planned Output 28	- Substantial elimination of the backlog of expired NPDES permits for facilities that have been identified as significant contributors to water quality problems in priority watersheds by the end of the fiscal year.
--------------------	--

•Planned Output 29 - NPDES Permit status and number of permits issued.

Federal Role--As new federal regulations are issued that affect different industrial sectors, USEPA will identify specific issues that could impact expired permits and work with the Bureau to develop appropriate language for permit issuance. USEPA will facilitate information exchange between the states on watershed protection, innovative approaches, etc., that could be used by IEPA in this effort. Region 5 will also expedite the review of the draft general NPDES permits which will require renewal during FY97, so that the use of general permits continue to be a significant element of the permit backlog reduction effort.

- Compliance Assistance/Enforcement -The Bureau currently has a comprehensive assistance program to provide medium and small municipal wastewater facilities with information and technical support to assist in the identification of wastewater performance trends and encourage timely planning for preventive and corrective actions. We intend to expand this program to include larger municipal and other nonmunicipal wastewater facilities as well as small community water supplies with a history of operational problems. The Bureau will implement several activities to improve compliance assistance and multi-media coordination. Field staff will provide a level of compliance assistance which is appropriate for the needs of the facility at each inspection. This may range from a discussion of the inspection results to extensive operational assistance, and includes participation in the Clean Break small business assistance program. Both inspections and compliance monitoring will be focused on priority watersheds, but Bureau staff will also participate in extensive multi-media coordination of compliance activities. The Bureau will evaluate the merits of changing its enforcement/compliance assistance approach to a watershed based strategy.

The Bureau will continue to pursue the improvement of water quality and the achievement of sustained compliance via appropriate state actions. These include requiring an IEPA permit consistent with applicable state requirements for the construction, modification, and/or operation of water supply facilities, water mains, wastewater treatment works, sewers, pretreatment, and mining facilities; administering the State's Build Illinois Compliance Grant program, and requiring properly certified operators as a vehicle for assuring that drinking water and wastewater treatment facilities are properly operated and maintained by qualified personnel. The Bureau will also continue to routinely update PCS, SDWIS, and GICS as well as continue to assist USEPA in addressing information needs. Information will continue to be provided on all water programs.

•Core Perf. Measure - Average number of days to reach agreement on a compliance plan for resolution of violations.

- Core Perf. Measure - Success ratio for participants that receive compliance assistance.
- Core Perf. Measure - Description of environmental benefits that are achieved due to resolution of enforcement cases that involve P₂ and SEPs.
- Core Perf. Measure - Annual compliance excellence achievers as demonstrated by three or more years of sustained compliance. (This measure will be done on a pilot basis.)
- Planned Output 30 - Summary report on the Municipal Compliance Assistance program at the end of the fiscal year.
- Planned Output 31 - Number of enforcement actions including number of noncompliance advisories issued.
- Planned Output - Number of cases involving audit privilege.
- Planned Output 33 - Updated Enforcement Management System reflecting provisions of recent legislative changes and program priorities.
- Planned Output 34 - Number of demand letters issued.
- Planned Output 35 - Number of wastewater and water supply operators certified.
- Planned Output 36 - Number of grants and loans processed.
- Planned Output 37 - Amount of cumulative outlays and number of construction grant administrative completions.

Federal Role--No expanded role is anticipated for the Regional Office for this activity. The Region will continue to provide any information on national or other state activities with a similar focus.

- Pollution Prevention Initiatives--The Bureau will participate in several activities targeted toward facilities potentially impacting water quality. Field staff will coordinate an outreach to a small, developing community on the outskirts of Springfield, drawing on the resources of the Bureau's nonpoint source and Permit

staff and targeted at Village officials and developers in the local area. This will be primarily an educational effort emphasizing regulatory assistance with permitting requirements, the water quality impacts of construction site runoff, and appropriate control measures. If successful, such a program could be expanded to other areas as resources allow. Livestock waste program staff will work in conjunction with the Office of Pollution Prevention to develop recommendations and materials for distribution to livestock producers. Also, staff will participate in an effort to develop information on pollution prevention and spill prevention technology appropriate for the relatively small oil producers located in downstate Illinois. This material, in addition to a spill cleanup protocol, will be the basis for an outreach effort to producers when completed.

•Planned Output 38 - Pollution prevention recommendations and materials for livestock producers.

•Planned Output 39 - Pollution prevention and spill prevention recommendations and materials for small oil producers.

Federal Role--There is no expanded federal role currently needed to implement this activity.

- Great Lakes Water Quality Initiative Adoption Schedule and Initial Implementation - IEPA intends to facilitate the adoption of all required GLI water quality standards for our portion of Lake Michigan and its basin within FFY97. The Bureau will continue to meet with stakeholders group concerning the adoption and implementation of GLI water quality standards in early FFY 97. Given the anticipated minor impact of GLI standards in Illinois due to our limited Lake Michigan watershed and the fact that most dischargers have been diverted out of the basin, IEPA decided to work directly with the handful of potentially affected dischargers remaining in developing GLI standards specifically adapted for Illinois. We will also continue to monitor the activities of other Region 5 states as they develop state standards out of the USEPA GLI guidance. Our proposed GLI regulations will be formulated in a manner consistent with the other states and USEPA guidance while augmenting and complimenting existing standards when possible. Our goal is to have the proposal ready for submittal to the Region by the end of calendar 1996. Upon obtaining the Region's approval, IEPA will submit the GLI proposal to the Illinois Pollution Control Board.

•Planned Output 40 - Proposal for water quality standards applicable to Lake Michigan and its basin by the end of calendar year 1996.

Federal Role--USEPA experts in the various methodologies developed for GLI may provide testimony at IPCB hearings. Clearinghouse coordination for GLI

related data will continue to be needed. USEPA Standards Unit will review IEPA proposals and hold subsequent negotiations.

- Development of Biocriteria Water Quality Standards - IEPA will continue to work with the Region on the development of biocriteria in FFY 97. The Biocriteria Workgroup, established to bring together experts and interested parties into a dialog on biocriteria, will continue to meet on a regular basis and at least two meetings will be held. We anticipate that the regionalization effort will be completed during the federal fiscal year with the establishment of sub-ecoregions for Illinois based on the national ecoregion concept. We will then work to identify criteria for reference sites and reference conditions so that comparisons to minimally impacted conditions can be made and thereby provide an implementation system for biocriteria. In this matter we will first look to historical sites for which appropriate fisheries data exist. We will then confirm the suitability of these sites and conditions depicting minimal impairment found there by visiting the sites for purposes of collecting confirmatory data. Within the context of reference sites and conditions, the IEPA and Workgroup will determine habitat and land use criteria which will allow the determination of the reasonably attainable potential of each particular ecosystem type with regard to aquatic life potential. This will allow fair comparisons to be made between the reference condition and a given site of interest. Progress in these projects will eventually lead to the adoption of biocriteria water quality standards as IPCB regulations at some future date.

●Planned Output 41	- Criteria for reference sites and reference conditions.
--------------------	--

Federal Role--The Standards Unit and related units at Region 5 will continue to be of help in the development of biocriteria by providing expertise in map generation, statistical analysis of fisheries data and the workings of biocriteria in general. USEPA staff will continue to attend Workgroup meetings and provide guidance in development of these standards. Conference facilities at the Great Lakes Conference Center will continue to be needed for Workgroup meetings.

- Total Maximum Daily Load (TMDL) - The TMDL process is an important tool for developing watershed-based solutions. Both the identification of water quality limited waters under Section 303(d) of the Clean Water Act and the Targeted Watershed Approach rely heavily on the 305(b) reporting process. The State's Waterbody Tracking System (WBTS) for 305(b) related assessment information is also used to track information related to the 303(d) list development. The IEPA is currently implementing a project to incorporate the State WBTS information into the Bureau of Water's GIS. The Targeted Watershed Approach is discussed in greater detail in the document entitled "Targeted Watershed Approach Utilized by IEPA," June 1993 with annual updates provided in the Division of Water Pollution Control's Program Plan. Modeling is being evaluated for application on a watershed scale which would enhance the capabilities of the Illinois EPA

to accelerate the TMDL process. These models are being tested through funding from the USEPA and a final report on their performance will be forwarded to Region 5 upon completion of the study.

•Planned Output 42 - Revised/updated TMDL procedure during FY97.

Federal Role--USEPA will continue financial and technical support and will assist in completing the modeling studies.

- Groundwater Protection Program - The Bureau will expand the groundwater protection program to accelerate implementation of pollution prevention in wellhead protection areas for new and existing water supply wells. Pollution prevention technical assistance and outreach to small businesses and farmers located in wellhead protection areas will be increased. The timing and level of expansion will depend in large part on the guidance and appropriation levels in the SFY97 budget. Under the Amendments, source water protection (SWP), SRF technical assistance and review, groundwater protection grants, and SWP petition reviews are needed to maximize monitoring flexibility and to retain primacy. Monitoring flexibility will continue to be based on implementation of effective source water protection programs. Technical assistance and outreach in the form of source water protection area delineations and potential source identification will be enhanced under this expansion of the groundwater protection program. After endorsement of Illinois' Core CSGWPP, the Bureau will work on development of a vision for a fully integrated CSGWPP. Under this vision areas of needed flexibility from USEPA will be evaluated and described to advance quality improvements toward a fully integrating CSGWPP. Given USEPA's ability to provide flexibility for certain requirements, program enhancements could include negotiation with other Illinois EPA Bureaus and Divisions to provide inspections that include, pollution prevention technical assistance for small businesses located in high priority wellhead protection areas. The Groundwater program will also continue to work on integrating the BOL shallow groundwater monitoring at regulated facilities and sites, and the Illinois Department of Agriculture's rural pesticide monitoring program to develop an overall groundwater quality indicator.

•Planned Output 43 - An additional goal and indicator that reflects decreasing contaminant exceedances in an ambient network of community water supply wells for inclusion in the FY 98 Environmental Conditions Report.

Federal Role--USEPA has, over the past year, found itself with the need to redefine its role in support of the wellhead protection program (WHPP). As of March, 1996, all of the State WHPPs in Region 5 have received Federal approval, changing the Federal role from one of reviewing and approving State WHPPs to better supporting State and local WHPP implementation efforts. In addition, the Region as a whole has recognized the need for working together with communities

in common sense ways to solve environmental problems. During FY 97, USEPA will work in partnership with the State to help communities solve environmental problems, particularly protecting the drinking water supplies, and with learning what the community needs are which the USEPA could better support. Specifically, USEPA will undertake activities to assist Illinois with increasing local source water protection (wellhead protection) and to help define USEPA's appropriate Federal role in support of local source water protection programs through activities such as participating in the Priority Groundwater Protection Planning Committee meetings and activities, documenting the progress of Illinois' local implementation of WHPPs, and assisting the Illinois EPA Field Operation Section to establish efficiencies where multi-media interaction can benefit the source water protection program established under the Safe Drinking Water Act Amendments of 1996.

- Integrated Field Monitoring - The Bureau is incorporating successful elements of the pilot study conducted in FY 96 into ongoing programs as described in the Self-Assessment. One area of potential integration would be the cross-utilization of ambient samples generated by both the Public Water Supply and Water Pollution Control Programs. Integration currently occurs during development of the 305(b) report, where PWS data is utilized by WPC to generate "drinking water" use support assessments. An evaluation of the appropriateness of coordinating the use of relevant WPC stream and lake monitoring station data to surface water intakes used by PWS will take place this fiscal year. Opportunities for further coordination will continue to be evaluated.

Federal Role--To the extent that IEPA may wish to expand the Integrated Field Monitoring Effort to involve affected states on shared water bodies, or to involve Federal Agencies, Region 5 will provide assistance in facilitating this coordination. In addition, Region 5 will strive to continue to provide field assistance to the state in conducting ambient monitoring.

- Coordinated Use of Enforcement Authorities - Efficient use of resources and effective approaches to promoting compliance can be furthered by enhanced coordination between USEPA and IEPA regarding pursuit of enforcement activities. Periodic conferences with designated compliance and legal staff at USEPA and IEPA should take place to identify violators that are to be pursued as a cooperative effort by these agencies. Identification of violators to be pursued should take into account the priorities of each agency, including targeted watershed considerations. Where USEPA will take the lead in enforcement action, IEPA would, in appropriate instances, provide supporting information and participate in proceedings and settlement negotiations. Such participation would apply to matters handled by both administrative orders issued by USEPA and by complaints filed in federal court through the United State Department of Justice ("USDOJ").

Federal Role--USEPA and, in some cases, USDOJ would initiate and pursue the enforcement actions that are to be handled cooperatively with a federal lead. Penalties collected in such matters would be split with IEPA in recognition of the degree of state support provided.

- Review of National Data/Reporting Systems - During the fiscal year, the Bureau and the Region will exchange information on reporting that is being provided outside the Self-assessment and other commitments contained in the EnPPA. The Bureau will also work with Region 5 to identify elements of national priorities from the April 1996 Revised State Programs Priorities Guidance report on program activities in a mutually agreeable format. The goal of this review is to further streamline reporting and oversight within the constraints of federal statutory and regulatory requirements.

•Planned Output 44 - By the end of the second quarter of the federal fiscal year, the Bureau will provide a report proposing changes in reporting and format for the next self-assessment.

Federal Role - USEPA will provide a comprehensive list of current reports received from the Agency as well as a listing of reports and submissions required under federal statutes and regulations. They will work with the Agency to streamline necessary reporting and integrate this reporting into the self-assessment process to the maximum extent possible

4. **Program Resources** - The Agency plans to devote 308 work years in Fiscal Year 1997 to activities in the Water program. Of this total, approximately 169 work years will be supported with State resources and 139 work years will be supported by federal funding under the Clean Water Act and Safe Drinking Water Act. The distribution of work years is expected to be as follows.

	Federal Estimated Work Years	State Estimated Work Years
Water Pollution Control	89	130
Public Water Supplies	50	39

Work years associated with groundwater protection activities are included in the numbers shown for the Public Water Supply program. The non-community water supply program is administered by the Illinois Department of Public Health and accounts for 12 of the federal work years above. The level of effort described above assumes that federal grant awards in FY1997 will approximate the amounts reflected in the President's budget with a portion of the work years supported by the FY1997 expenditure of federal funds awarded in an earlier period.

5. **Federal Role for Clean/Safe Water Program** - While new Federal and State roles will be discussed and emerge during the next year, Region 5 commits to support the Bureau of Water in all efforts necessary to achieve the Agencies' mission of clean and safe water. Administratively, Region 5 will continue to provide IEPA timely information regarding available resources and competitive grants throughout the year and will work with the State to expeditiously apply for and receive appropriate awards. Region 5 will work with IEPA to seek innovative ways to address broad regional priorities, including community based environmental protection, pollution prevention and compliance assistance. Geographic initiatives are in place in the Southeast Chicago and East St. Louis areas as well as the upper Mississippi River Basin in Illinois, and efforts will continue to foster relationships with these local areas and address specific community concerns. In addition to those listed elsewhere in this agreement, Regional activities in the State's broad program components include the following:
- Region 5 commits to providing technical and programmatic assistance to IEPA, in the development of revisions to states water quality standards, particularly, in FY 1997, for those revisions relating to the Great Lakes Guidance.
 - Region 5 will track progress of state implementation against the federally approved WHP program and measure/report progress toward national goals.
 - Region 5 will provide technical assistance, resources, and tools to states and local governments implementing WHPPs and further develop tools that will benefit all the states in Region 5 to better implement WHPPs.
 - Region 5 will offer direct technical assistance to IEPA targeted environmental justice communities and to Federal facilities in support of the Illinois WHP program.
 - Region 5 will coordinate with IEPA to develop and foster partnerships to promote WHPP implementation with organizations Nationally and within the State such as LWV, ACTION, etc.
 - Region 5 will pursue coordination among its programs and with other Federal agencies to promote the use of Illinois' WHPAs for priority setting and to possibly leverage resources.
 - Region 5 will work with IEPA and other partners on developing plans to assess and remediate sediment pollution in the West Branch of the Grand Calumet River.
 - Region 5 commits to working collaboratively on the NPDES Compliance/ Enforcement Quality Action Team to support overall water program objectives and priorities.
 - Region 5 will also assist the State in expanding GIS/GPS capabilities.
 - Region 5 will assist IEPA staff with interpretation of the National Primary Drinking Water Regulations, and with the development of regulatory implementation alternatives.
 - Region 5 will work with IEPA staff to apply in Illinois geographic initiative areas (Chicago, East St. Louis) the sediment GIS/database system currently used in the Southeast Michigan Initiative. The system is designed to visualize and analyze sediment data at sites in priority waterways.

6. **Oversight Arrangements** - Oversight for the Water programs will be results oriented, not tied to a specific methodology or set of procedures. The role of oversight is to provide the parties to the agreement knowledge that a task has been completed, is of good quality and is in conformance with the applicable law and regulation. The scope of oversight is determined by the task itself.
- a. **Water Pollution Control Program** - The reporting mechanisms for the water pollution control program are tied to the specific activity subjected to oversight. Some of these mechanisms have matured and are serving the needs of the oversight process quite well. Others are in stages of redevelopment and will continue to be reviewed and modified to better serve the needs of the party.
- **Grants/State Revolving Fund** - This system has matured and serves the program well. No changes are anticipated.
 - **NPDES Permits** - The new oversight process is in the third year of implementation of revisions. Agreement has been reached to eliminate the formal preissuance review of each major permit. The current program involves staff to staff discussions and problem resolution before the drafting of an NPDES permit or modification. Conflict resolution procedures have been developed. The principal reporting system is the Permits Compliance System (PCS). A list of major permits to be reissued is supplied to U.S. EPA at the beginning of the fiscal year. Applications for modification of NPDES permits are supplied as received. As the permits are issued or modified, PCS is updated. Minor permit activity is also noted in PCS. Targeted watershed permit activity reporting will be in PCS also.
 - **Inspection Program** - The current system is working well. No changes are anticipated at this time.
 - **Compliance Monitoring and Enforcement** - The current system is working well. No changes are anticipated other than further defining the reporting mechanisms for targeted watershed activities.
 - **Nonpoint Source Management Program** - Current program reporting requirements are excessive and will be reduced to annually, utilizing electronic systems such as Grant Reporting Tracking System (GRTS) to maximum extent possible.
 - **Quality Assurance Program Plan (QAPP)** - The review and approval by U.S. EPA needs to be limited to only those issues required for approval, and oriented toward eliminating duplication of effort. Reporting will be the QAPP itself.
- b. **Public Water Supply Program** - The current process of providing periodic self assessments on the negotiated PWSS program priority guidance will be continued.

However, based on historic performance of the program the frequency will be reduced to one report provided at midyear.

The Bureau will work with the Illinois Department of Public Health and Region 5 to evaluate the feasibility of developing goals and indicators (as a separate measure) for non-community water supplies with measures to be initiated during FY98.

- c. Groundwater Program - The current process of providing self assessments will be reduced. Groundwater practice progress will be reported electronically to the Region.

VI. PUBLIC INVOLVEMENT

Both the IEPA and the USEPA are publicly accountable government organizations that exist to protect human health and the environment. This agreement is an evolving public document that can inform and guide public debate on environmental problems, goals, priorities, strategies and accomplishments; a document whose development and content over time will be in part shaped by public involvement. The Agencies commit to development and use of a mix of approaches to effectively achieve public outreach and involvement.

Public outreach and involvement have several fundamental purposes:

1. Public information - to increase public understanding of the critical environmental issues facing the State.
2. Public education - to share information with the goal of motivating environmentally desirable public behaviors.
3. Public involvement - to engage in dialogue with stakeholders in order to gather their input and feedback systematically, offering an opportunity to shape the content and direction of environmental programs. Stakeholders include the other governmental entities, the regulated community, interest groups, academia, and the general public.
4. Coordination - to engage in cooperative discussion and activities with other providers of environmental protection services (e.g., other state and federal agencies, local governments, public, private, and non-profit groups) to ensure that planning goals, strategies, and implementation measures maximize environmental benefits and minimize duplication, gaps, and inconsistencies.

In the spirit of continuous improvement, IEPA and USEPA envision the establishment of processes to engage stakeholders in comment and discussion that will help shape future State-USEPA environmental performance agreements, including self-assessments, planning and goals-setting, and the creation and evaluation of measures of success (e.g., performance measures and progress toward environmental protection goals).

ATTACHMENTS

- Listing of Funding Sources
- Dispute Resolution Process

LISTING OF FUNDING SOURCES

- A. The FY 97 federal performance partnership grant to IEPA includes the following programs for which this agreement serves as the program commitment (e.g., work plan):
 - 1. Air pollution control program (CAAA, Sec. 105)
 - 2. TSCA compliance assurance
 - 3. Hazardous waste management program
 - 4. Underground injection control program
 - 5. Water pollution control program (CWA, Sec., 106)
 - 6. Public water system supervision program
- B. For the following categorical grants to IEPA, this agreement also serves as the program work plan:
 - 1. CERCLA implementation support (CORE)
 - 2. Base program funding for nonpoint source control activities (CWA, Sec. 319)
 - 3. Construction grant program administration funding (CWA, Sec. 205(g))
 - 4. Water quality management planning funding (CWA, Sec. 604(b))
 - 5. State revolving fund administration funding (CWA, Sec. 603))
- C. The Performance Partnership Grant may be amended during FY 97 or FY 98 to incorporate the pollution prevention incentives grant.
- D. For the following federal grants to IEPA, this agreement provides an overall strategic framework and, in some cases implementation provisions, that work in concert with the requisite project-specific work plans that remain in effect:
 - 1. Emergency planning/Community Right-To-Know project
 - 2. CERCLA pre-remedial support
 - 3. CERCLA site-specific projects
 - 4. Funding for nonpoint source projects (CWA, Sec. 319)
 - 5. Clean Lakes project funding (CWA, Sec. 314)
 - 6. Research and demonstration funding (CWA, Sec. 104(b)(3))
 - 7. Operator training funding (CWA, Sec. 104(g))

DISPUTE RESOLUTION PROCESS

IEPA and Region 5 will use an agreed upon dispute resolution process to handle the conflicts that may arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.

A. Informal Dispute Resolution Guiding Principles

IEPA and Region 5 will ensure that program operations:

- Recognize conflict as a normal part of the State/Federal relationship.
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve disputes.
- Approach the discussion as an opportunity to improve the product through joint efforts.
- Aim for resolution at the staff level, while keeping management briefed. Seriously consider all issues raised but address them in a prioritized format to assure that sufficient time is allocated to the most significant issues.
- Promptly disclose underlying assumptions, frames of reference and other driving forces.
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties to assure acceptance by all stakeholders.
- Document discussions to minimize future misunderstandings.
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

B. Formal Conflict Resolution

There are formalized programmatic conflict resolution procedures that need to be invoked if the informal route has failed to resolve all issues. 40 CFR 31.70 outlines the formal grant dispute procedures. There is also an NPDES conflict resolution procedure. The Superfund Program sponsors an Alternate Dispute Resolution Contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program. These are all time consuming and should be reserved for the most contentious of issues. For less contentious matters, we will use the following procedures:

1. Define dispute - any disagreement over an issue that prevents a matter from going forward.
2. Resolution process - a process whereby the parties move from disagreement to agreement over an issue.
3. Principle - all disputes should be resolved at the front line or staff level.
4. Time frame - generally, disputes should be resolved as quickly as possible but within two weeks of their arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next level of each organization.
5. Escalation - when there is no resolution and the two weeks have passed, there should be comparable escalation in each organization, accompanied by a statement of the issue and a one page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each organization.